

CHAPTER 277. BUILDING TRADES LICENSES*

*Cross references: Building code, Title 5, Ch. 85 et seq.

ARTICLE I. OIL BURNER INSTALLERS

~~277.10. Oil burners, equipment defined. For the purposes of this article, "oil burner" shall mean any device designed to burn fuel oil having a flash point of one hundred (100) degrees Fahrenheit, or higher, as determined by the Tag Closed Tester in accordance with the method of test adopted by the American Society for Testing Materials (A.S.T.M. Designation 5-56-21), and having a fuel tank or container with a capacity of more than ten (10) gallons connected thereto. The term "oil burner equipment" shall include oil burners as above defined, and all tanks, piping, pumps, control devices and accessories connected to such burners. (Code 1960, As Amend., § 311.020)~~

~~277.20. Exceptions. This article shall not apply to portable burners not requiring connection to a flue, such as oil stoves, oil heaters and oil lamps equipped with a wick, or a mechanical device the movement of which is essential to flame adjustment. (Code 1960, As Amend., § 311.020)~~

~~277.30. Installers classified. For the purposes of this article:~~

~~(a) Master oil burner installer shall mean a person who has successfully passed the examination herein provided for and obtained a valid certificate of competency as a master oil burner installer, and who by reason thereof is qualified to engage in and carry on the business of constructing, installing, altering, repairing and servicing oil burners and oil burner equipment in the city.~~

~~(b) Journeyman oil burner installer shall mean a person who has successfully passed the examination herein provided for and obtained a valid certificate of competency as a journeyman oil burner installer, and whose principal occupation is that of practical installation, repair and servicing of oil burners and oil burner equipment under the direction and supervision of a duly licensed master oil burner installer.~~

~~(c) Apprentice oil burner installer shall mean a person doing and performing work at and in connection with the constructing, installing, altering, repairing and servicing of oil burners and oil burner equipment under the direction and supervision of either a journeyman or master oil burner installer, and possessing a valid certificate of registration as an apprentice oil burner installer. (Code 1960, As Amend., § 311.030)~~

~~277.40. License required. No person shall install, alter, repair or service, in any building or structure within the city, any oil burner or oil burner equipment, such as is defined herein, or engage in or carry on the business of installing, altering,~~

~~repairing or servicing such oil burners or oil burner equipment without having first secured a license from the city council. (Code 1960, As Amend., § 311.010; Pet. No. 251179, § 35, 12-29-89)~~

~~277.50. License application; certificate of competency required. Every person desiring a license as provided in section 277.40 shall make a written application therefor to the city council, stating the name of the person, firm or corporation desiring such license and the place of business. No such license shall be issued unless the person, or where such applicant is a firm or corporation, a member of such firm or an officer of such corporation, is the holder of a valid certificate of competency as a master oil burner installer, issued by the board of examiners as hereinafter provided, in full force and effect at the time of the making of such application. (Code 1960, As Amend., § 311.040; Pet. No. 251179, § 36, 12-29-89)~~

~~277.60. Issuance of license. Each such license shall be issued by the director of licenses and consumer services, upon the order of the city council. (Code 1960, As Amend., § 311.050)~~

~~277.61. Reciprocity. Whenever a master's certificate of competency or license or journeyman's certificate of competency is required by the terms of this chapter, any applicant for the license or certificate who presents a valid and subsisting license or certificate from the City of St. Paul in which the technical, mechanical, and examination fee requirements for securing the appropriate license or certificate are equal to those of Minneapolis, as shall be determined by the appropriate examining board, may receive the appropriate license or certificate to carry on a trade or occupation in the city without examination or payment of examination fees; provided that St. Paul reciprocates by accepting the applicable Minneapolis certificate of competency or license. However, nothing in this section shall exempt such an applicant from full compliance with all other requirements of this chapter including payment of license and certificate fees. Where a competency card holder or licensee fails to make required corrections after being duly notified by the department of inspections where work has been done, such failure or lack of compliance will then be recorded and information relative thereto will be forwarded to any locality where a reciprocal card or license could be held. (86-Or-072, § 1, 4-25-86)~~

~~277.70. Bond. With each such application for license, the applicant shall furnish a surety bond in the amount of one thousand dollars (\$1,000.00) to the city, conditioned that the licensee shall in all material and equipment furnished, and in all work done and performed, in connection with the installing, altering, repairing and servicing of such oil burners and oil burner equipment in the city, strictly comply with the provisions of all ordinances, laws and regulations~~

~~pertaining thereto. Such bond shall be for the benefit of the obligee and all persons sustaining any damages by reason of the breach of any of the conditions thereof. (Code 1960, As Amend., § 311.060; Pet. No. 251179, § 37, 12-29-89)~~

~~277.80. Fee. The fee for each such license shall be one hundred thirty-one dollars (\$131.00) per annum, to be paid at the time of the filing of the application. (Code 1960, As Amend., § 311.070; Ord. of 10-11-74, § 1; 77-Or-147, § 1, 7-15-77; 86-Or-041, § 1, 3-14-86; 86-Or-101, § 1, 5-9-86; 90-Or-014, § 1, 1-26-90; 91-Or-049, § 1, 3-29-91; 98-Or-046, § 1, 5-22-98)~~

~~277.90. Expiration; transfer. The license shall terminate December first next succeeding issuance. The license shall not be transferable or assignable. (Code 1960, As Amend., § 311.080)~~

~~277.100. Place of business; age. Every applicant for a license must maintain a place of business in the State of Minnesota. No license shall be granted to any person less than eighteen (18) years of age. (Code 1960, As Amend., § 311.090)~~

~~277.110. License, place of business to be recorded. On receiving a license, the licensee shall have the same recorded in the office of the director of inspections, together with the place of business, giving the street and number, and in case of removal therefrom, shall immediately notify said inspector of the address of the new place of business. (Code 1960, As Amend., § 311.100; Pet. No. 251179, § 38, 12-29-89)~~

~~277.120. Work to be supervised by licensee. All installing, altering, repairing and servicing of oil burners and oil burner equipment in the city shall be done under the immediate supervision and control of the licensee. (Code 1960, As Amend., § 311.110)~~

~~277.130. Forfeiture of licenses. Any licensee hereunder who shall take out or secure a permit as required by this Code for any work to be done by any person not connected with such licensee or in the employ of such licensee, or who shall allow his or her name to be used by any other person for the purpose of either doing any such work or obtaining permit therefor, shall by such act, upon the conviction thereof, forthwith forfeit the license, and the director of inspections shall thereafter refuse to issue any further permits to install, alter or repair any oil burner or oil burner equipment under any license so forfeited. (Code 1960, As Amend., § 311.120; Pet. No. 251179, § 39, 12-29-89)~~

~~277.140. Revocation of licenses. Upon the presentation of satisfactory proof to the city council that any such licensee has failed to conform with any ordinance provisions of the city relating to the installation, alteration and repair of oil burners~~

~~and oil burner equipment, the city council shall revoke the license, and any license issued hereunder may be revoked as provided by the city charter. (Code 1960, As Amend., § 311.130; Pot. No. 251170, § 40, 12-20-80)~~
~~—Charter references: License revocation, Ch. 4, § 16.~~

~~277.150. Journeyman to be certified. No person shall engage in the occupation of or work as a journeyman on the construction, installation, alteration, repair or servicing of any oil burners or oil burner equipment in any building or structure within the city, without having first secured a certificate of competency as a journeyman oil burner installer from the examining board as hereinafter provided. (Code 1960, As Amend., § 311.140)~~

~~277.160. Apprentice to be registered; when eligible for certification. No person shall engage in the occupation of or work as an apprentice on the construction, installation, alteration, repair or servicing of oil burners or oil burner equipment without having first secured from the examining board a certificate of registration as an apprentice oil burner installer. At the expiration of four (4) years of service as an apprentice on such work, any person who has so served shall become eligible to make application to said examining board for a journeyman installer's certificate of competency. (Code 1960, As Amend., § 311.150)~~

~~277.170. Examining board established; appointments, terms. For the purpose of this chapter, an examining board shall be appointed by the city council after receiving recommendations from the director of inspections which shall consist of the director of inspections or duly designated deputy; one member who may be nominated by the Twin Cities Oil Burner Contractors Association, or any other similar organization composed of persons engaged in said business, who shall be a person actively engaged in the business of installing oil burners and oil burner equipment in the city; and one member who may be nominated by the Automatic Heat and Refrigeration Service Auxiliary of Steamfitters and Helpers Union of Minneapolis, or any similar organization of skilled and experienced workers in the trade, who shall be an oil burner journeyman. Succeeding appointees to said examining board may be nominated by the respective departments or organizations hereinabove designated and shall have the same qualifications as the original appointees. All appointments to such board, except when made for the unexpired portion of an uncompleted term, shall be for terms of three (3) years beginning the first day of November, 1977, and until a successor has been duly appointed and qualified. All members of such board shall serve without remuneration. (Code 1960, As Amend., § 311.160; Ord. of 10-31-75, § 1; 77-Or-180, § 1, 8-25-77; Pot. No. 251170, § 41, 12-20-80)~~

~~277.180. Organization of board. Said examining board shall elect a president and a secretary whose duty it shall be to keep records of all applications,~~

~~examinations, certificates issued and renewals thereof, and other activities of said board, and all fees received, and to pay into the city treasury as soon after their receipt as practicable all moneys collected by such board. Regular meetings of such board shall be held jointly with the St. Paul fuel burner installers' board of examiners in March and August, respectively. Special meetings shall be held when necessary, at the call of the president of the board. (Code 1960, As Amend., § 311.170; 86-Or-072, § 2, 4-25-86)~~

~~277.190. Duties of board. The board shall subject each applicant for a certificate of competency to such an examination and investigation as it may deem necessary to determine whether they have sufficient knowledge, skill, training and experience to enable them to properly carry on the business of or work at the construction, installation, alteration, repair and servicing of oil burners and oil burner equipment, and shall issue to each applicant who satisfactorily passes such examination and investigation the desired certificate of competency upon payment of the fees hereinafter provided, and shall issue renewals of such certificates from year to year as hereinafter provided, upon the payment of the required fees therefor. Such certificates of competency shall expire on December first of each year for master and journeyman installers. In case any certificate of competency shall lapse for a period of two (2) years or more, then it shall be necessary for the person who held such certificate to seek approval from the examining board before receiving a renewal of such certificate, upon the payment of the renewal fees for same. Such examining board shall have the power to prescribe all reasonable requirements as to the experience, training and character of applicants for such certificate of competency, to formulate and hold under such rules as they may establish all examinations of such applicants, both written and oral, and to pass upon the competency and fitness of each such applicant. The necessary expenses of such examining board shall be paid from any funds in the city treasury available therefor. (Code 1960, As Amend., § 311.180; 85-Or-194, § 1, 10-11-85)~~

~~277.200. Application for certificates; examination fees. Each person desiring a certificate of competency such as herein provided, whether for master or journeyman, shall file with such examining board at least sixty (60) days prior to the date of examination, in order to allow said board ample time to investigate the applicant's record and qualifications, an application for such certificate and notice of intent to take the required examination, and upon so filing such notice of intent to take examination, shall pay to such board an examination fee of seventy-five dollars (\$75.00) for a master's examination, and of fifty dollars (\$50.00) for a journeyman's examination. No such examination fee so paid shall be subject to refund to such applicant in case of his or her failure to pass such examination, and each such examination fee so paid shall be in addition to the fee to be paid by such applicant for a certificate of competency as hereinafter provided. (Code 1960, As Amend., § 311.190; 77-Or-147, § 1, 7-15-77; Pet. No. 251179, § 42, 12-29-80; 90-Or-076, § 1, 3-16-90)~~

~~277.210. Fees for certificates and renewals. The applicant therefor shall pay to the examining board for the first and original certificate of competency, master or journeyman, and each timely renewal thereof, and for apprentice registration certificates, thirty dollars (\$30.00). Whenever a certificate of competency has not been renewed by on or before December thirty-first of the renewal year, a double fee shall be imposed. (Code 1960, As Amend., § 311.200; 76-Or-204, § 1, 11-12-76; 81-Or-255, § 1, 10-9-81; 89-Or-197, § 1, 10-13-89; 2000-Or-099, § 1, 10-13-00)~~

~~277.220-277.230. Reserved.~~

~~ARTICLE II. STOKER INSTALLERS~~

~~277.240. Stoker defined. "Stoker," for the purposes of this article, shall mean a mechanical device for feeding solid fuel into the combustion chamber of a boiler or furnace used in connection with a heating or power plant, whether automatically or manually controlled. (Code 1960, As Amend., § 312.020)~~

~~277.250. License required. No person shall install, alter, repair or service, in any building or structure within the city, any stoker, or engage in or carry on the business of installing, altering, repairing or servicing such stokers, without having first secured a license from the city council. (Code 1960, As Amend., § 312.010; Pet. No. 251179, § 43, 12-29-89)~~

~~277.260. License applications. Every person desiring a license as provided in section 277.250 shall make written application to the city council, stating the name of the person, firm or corporation desiring such license and place of business. No such license shall be issued unless the person, or where such applicant is a firm or corporation, a member of such firm or an officer of such corporation, is qualified and has sufficient knowledge, skill and experience to carry on the installing, altering, repairing and servicing of stokers in a safe, proper and workmanlike manner and in conformity with the requirements of this Code relative thereto. Upon the filing of such application, the same shall be referred to the director of inspections, who shall make full investigation of the qualifications of such applicant to properly carry on such work, and report the findings as to such applicant to the city council. Upon such report being filed with the city council, such license may be granted or refused, in the discretion of the city council. (Code 1960, As Amend., § 312.030; Pet. No. 251179, § 44, 12-29-89)~~

~~277.270. Issuance of license. The license shall be issued by the director of licenses and consumer services. (Code 1960, As Amend., § 312.040)~~

~~277.280. Bond. With each such application for a license, the applicant shall furnish a surety bond to the city in the sum of one thousand dollars (\$1,000.00), conditioned that the licensee, in all material and equipment furnished and in all work done and performed in installing, altering, repairing or servicing such stokers in the city, shall strictly comply with the provisions of all ordinances of the city relating thereto. (Code 1960, As Amend., § 312.050; Pet. No. 251170, § 45, 12-29-89)~~

~~277.290. Fees. The fee for each such license shall be one hundred thirty-one dollars (\$131.00) per annum, to be paid at the time of the filing of the application. (Code 1960, As Amend., § 312.060; Ord. of 10-11-74, § 1; 77-Or-147, § 1, 7-15-77; 86-Or-041, § 1, 3-14-86; 86-Or-087, § 1, 5-9-86; 90-Or-014, § 1, 1-26-90; 91-Or-040, § 1, 3-29-91; 98-Or-046, § 1, 5-22-98)~~

~~277.300. Expiration; transfer. The license shall terminate December first next succeeding issuance. The license shall not be transferable or assignable. (Code 1960, As Amend., § 312.070)~~

~~277.310. Place of business; age. Every applicant for a license must maintain a place of business in the State of Minnesota. No license shall be granted to any person less than eighteen (18) years of age. (Code 1960, As Amend., § 312.080)~~

~~277.320. License, place of business to be recorded. On receiving a license the licensee shall have the same recorded in the office of the director of inspections, together with the business address, and in case of removal therefrom shall immediately notify said director of the new business address. (Code 1960, As Amend., § 312.090; Pet. No. 251170, § 46, 12-29-89)~~

~~277.330. Work to be supervised by licensee. All installing, altering, repairing and servicing of stokers in the city shall be done under the immediate supervision and control of the licensee. (Code 1960, As Amend., § 312.100)~~

~~277.340. Forfeiture of licenses. Any licensee hereunder who shall take out or secure a permit as required by this Code for any work to be done by any person not connected with such licensee or in the employ of such licensee, or who shall allow his or her name to be used by any other person for the purpose either of doing any such work or of obtaining permit therefor, shall by such act, upon conviction thereof, forthwith forfeit the license, and the director of inspections shall thereafter refuse to issue any further permits to install, alter or repair any~~

~~stoker under any license so forfeited. (Code 1960, As Amend., § 312.110; Pet. No. 251179, § 47, 12-29-89)~~

~~277.350. Revocation of licenses. Upon the presentation of satisfactory proof to the city council that any such licensee has failed to conform with any ordinance provisions of the city relating to the installation, alteration and repair of stokers, the city council shall revoke the license, and any license issued hereunder may be revoked as provided by the City Charter. (Code 1960, As Amend., § 312.120; Pet. No. 251179, § 48, 12-29-89)~~

~~—Charter references: License revocation, Ch. 4, § 16.~~

~~277.360–277.370. Reserved.~~

~~—ARTICLE III. STEAM AND HOT WATER HEATING INSTALLERS*~~

~~*State law references: Licensing of boiler engineers, M.S. § 183.38.~~

~~277.380. Definitions. For the purposes of this article, the following definitions shall apply:~~

~~Apprentice installer: A person regularly engaged in the industry learning the business under the direct supervision of a master or journeyman steam and hot water heating installer and whose duties are those of a helper only to such master or journeyman.~~

~~Cooling piping and equipment: All piping and equipment containing liquid, gas, water or brine and designed and installed for the purpose of cooling air in connection with any air conditioning system, or ventilation system, or combination heating and cooling system, but shall not include cooling piping and equipment in which a refrigerant is used.~~

~~Hot water heating system: A heating system in which water is used as the medium by which heat is carried through pipes from the boiler or other source of supply to the heating units.~~

~~Journeyman steam and hot water heating installer: A person in possession of a certificate of competency as such journeyman, issued by the examining board as herein provided, and who is duly authorized to work on such heating, cooling and steam piping installations under the direction and supervision of a duly licensed master steam and hot water heating installer.~~

~~—Master steam and hot water heating installer: A person duly licensed by the city council, as herein provided, to engage in or carry on, in the city, the business of constructing, installing, altering, repairing and servicing steam and hot water heating systems, steam piping systems, and cooling piping and equipment.~~

~~—Servicing: The cleaning, resetting, recementing and adjusting necessary to maintain in efficient operating condition a steam and hot water heating system, steam piping system, or cooling piping and equipment otherwise in good physical condition.~~

~~—Steam heating system: A heating system in which heat is transferred from the boiler or other source of steam to the heating units by means of steam at, above or below atmospheric pressure.~~

~~—Steam piping system: A system in which heat is transferred from the boiler or other source of steam to steam utilizing devices at, above, or below atmospheric pressure, for purposes other than for heating a building or other structure. (Code 1960, As Amend., § 313.170; Pet. No. 251179, § 49, 12-29-89)~~

~~—277.390. License required. No person shall construct, install, alter, repair or service any steam or hot water heating system, steam piping system, or any cooling piping and equipment, in any building or structure within the city, or engage in or carry on the business of constructing, installing, altering, repairing or servicing steam or hot water heating systems, steam piping systems, or cooling piping and equipment, without having first secured a license from the city council. And further, no person licensed by this article shall permit or allow any person in his or her employ to do or perform any work regulated by this article unless such employee is the holder of a valid certificate of competency as a journeyman steam and hot water installer or proper registration as an apprentice steam or hot water installer issued by the examining board. (Code 1960, As Amend., § 313.010; 78 Or 260, § 1, 12-22-78; Pet. No. 251179, § 50, 12-29-89)~~

~~277.400. License, permit limitations. For the purposes of this article, in the case of air conditioning systems in connection with which the heating is accomplished by means of steam or hot water heating plants, and in the case of fan heating systems, the license above provided shall apply only to the construction, installation, alteration, repair or servicing, and the permits secured under authority of such license shall apply only to the construction, installation, alteration or repair, of the steam or hot water heating plant, which shall be taken~~

~~to mean and include the boiler or boilers, and all controls, piping, radiation heating or cooling coils and other equipment, directly connected therewith, and of any cooling piping and equipment such as hereinafter defined.~~

~~The construction, alteration or repair of boilers, other than cast-iron sectional boilers, is excepted from the provisions of this article. (Code 1960, As Amend., § 313.020)~~

~~277.410. License application. Every person desiring a license as provided in section 277.390 shall make written application to the city council, stating the name of the person, firm or corporation desiring such license and place of business. No such license shall be issued unless such person, or, where such applicant is a firm or corporation a member of such firm or an officer of such corporation, at the time of making such application is in possession of a certificate of competency (at that time in force) as a master steam and hot water heating installer issued by the board of examiners as hereinafter provided. (Code 1960, As Amend., § 313.030; Pet. No. 251179, § 51, 12-29-89)~~

~~277.420. Issuance of license. Each such license shall be issued by the director of licenses and consumer services, upon order of the city council. (Code 1960, As Amend., § 313.040)~~

~~277.421. Reciprocity. Whenever a master's certificate of competency or license or journeyman's certificate of competency is required by the terms of this chapter, any applicant for the license or certificate who has and presents a valid and subsisting license or certificate from the City of St. Paul in which the technical, mechanical, and examination fee requirements for securing the appropriate license or certificate are equal to those of Minneapolis, as shall be determined by the appropriate examining board, may receive the appropriate license or certificate to carry on a trade or occupation in the city without examination or payment of examination fees; provided that St. Paul reciprocates by accepting the applicable Minneapolis certificate of competency or license. However, nothing in this section shall exempt such an applicant from full compliance with all other requirements of this chapter including payment of license and certificate fees. Where a competency card holder or licensee fails to make required corrections after being duly notified by the department of inspections where work has been done, such failure or lack of compliance will then be recorded and information relative thereto will be forwarded to any locality where a reciprocal card or license could be held. (86-Or-072, § 3, 4-25-86)~~

~~277.430. Place of business. Every applicant for a license must maintain a place of business in the State of Minnesota. As used herein, place of business shall consist of a bona fide location where the business for which the license is issued is transacted. (Code 1960, As Amend., § 313.050)~~

~~277.440. Bond. With each such application for a license, the applicant shall furnish a surety bond to the city in the sum of one thousand dollars (\$1,000.00), conditioned that the licensee, in all material and equipment furnished and in all work done and performed in constructing, installing, altering, repairing or servicing such steam or hot water heating systems, steam piping systems, or cooling piping and equipment in the city, shall strictly comply with all provisions of the ordinances relating thereto. (Code 1960, As Amend., § 313.060; Pet. No. 251179, § 52, 12-20-89)~~

~~277.450. Fee. The fee for each such license shall be one hundred thirty-one dollars (\$131.00), to be paid at the time of the filing of the application. (Code 1960, As Amend., § 313.070; Ord. of 10-11-74, § 1; 77-Or-147, § 1, 7-15-77; 86-Or-041, § 1, 3-14-86; 86-Or-088, § 1, 5-9-86; 90-Or-014, § 1, 1-26-90; 91-Or-049, § 1, 3-29-91; 98-Or-046, § 1, 5-22-98)~~

~~277.460. Expiration; transfer. The license shall terminate December first next succeeding issuance. The license shall not be transferable or assignable. (Code 1960, As Amend., § 313.080)~~

~~277.470. Journeyman to be certified. No person shall engage in the occupation of or work as a journeyman in the construction, installation, alteration, repair or servicing of any steam or hot water heating system, steam piping system or any cooling piping and equipment, in any building or structure within the city, without having first secured a certificate of competency as a journeyman steam and hot water heating installer from the examining board as hereinafter provided. (Code 1960, As Amend., § 313.090)~~

~~277.480. Apprentices to be registered; when eligible for certification. No person shall engage in the occupation of or work as an apprentice, on the construction, installation, alteration, repair or servicing of steam or hot water heating systems, steam piping systems, or cooling piping or equipment without having first secured from the examining board a certificate of registration as an apprentice installer. At the expiration of four (4) years of service as an apprentice on such work, any person who has so served shall become eligible to make application to said examining board for a journeyman installer's certificate of competency. (Code 1960, As Amend., § 313.100)~~

~~277.400. Examining board established; appointments, terms. For the purposes of this article, an examining board shall be appointed by the city council after receiving recommendations from the director of inspections, which shall be known as the examining board of steam and hot water heating installers, and shall consist of five (5) members. One member of said board shall be the director of inspections or duly designated deputy; one member may be nominated by the Minnesota Mechanical Contractor's Association, who shall be a person actively engaged in the business of constructing, installing, altering, repairing or servicing refrigeration systems and equipment; two (2) members may be nominated by the Pipefitters Union No. 539, who shall be journeymen actively engaged in the industry; one member may be recommended by the Minnesota Association of Plumbing, Heating, and Cooling Contractors, who shall be a person actively engaged in the business of constructing, installing, altering, repairing or serving steam and hot water heating systems, steam piping systems, and cooling piping and equipment. All appointments to such board, except when made for the unexpired portion of an uncompleted term, shall be for terms of three (3) years beginning the first day of November, 1977, and until a successor has been duly appointed and qualified. All members of the board shall serve without remuneration. (Code 1960, As Amend., § 313.110; Ord. of 3-9-73, § 1; 77-Or-180, § 2; 8-25-77; 90-Or-019, § 1, 1-26-90)~~

~~277.500. Organization of board. Said examining board shall elect a president and a secretary whose duty it shall be to keep records of all applications, examinations, certificate issuances and renewals, and other activities of the board and of fees received, and to pay into the city treasury, as soon after their receipt as practicable, all moneys collected by the board. Regular meetings of the board shall be held jointly with the St. Paul steamfitter and piping system installers' board of examiners in March and August, respectively, and special meetings shall be held when necessary at the call of the president of the board. (Code 1960, As Amend., § 313.120; 86-Or-072, § 4, 4-25-86)~~

~~277.510. Duties of board. The board shall subject each applicant for a certificate of competency to such an examination and investigation as it may deem necessary to determine whether they have sufficient knowledge, skill, training and experience to enable them to properly carry on the business of, or work at, the construction, installation, alteration, repair and servicing of steam and hot water heating systems, steam piping systems, and cooling piping and equipment, and shall issue to each applicant who satisfactorily passes such examination and investigation the desired certificate of competency upon payment of the fees hereinafter provided, and shall issue renewals of such certificates from year to year as hereinafter provided, upon payment of the required fees therefor. Such certificates of competency shall expire on December first of each year for master and journeyman installers. In case any certificate of competency shall lapse for a period of two (2) years or more, then it shall be necessary for the person who held such certificate to seek approval from the examining board before receiving a renewal of such certificate upon payment of the renewal fees for same. The examining board shall have the power to prescribe all reasonable requirements as to the experience, training and character of applicants for such certificates of competency, to formulate and hold under such rules as they may establish all examinations of such applicants, both written and oral, and to pass upon the competency and fitness of each such applicant. The necessary expenses of the examining board shall be paid from any funds in the city treasury available therefor. (Code 1960, As Amend., § 313.130; 85-Or-104, § 2, 10-11-85)~~

~~277.520. Applications for certificates; examination fees. Each person desiring a certificate of competency such as herein provided, whether for master or journeyman, shall file with the examining board, at least sixty (60) days prior to the date of examination, a notice of intent to take the required examination. Such notice of intent shall contain information relative to place and date of birth, time and place of schools attended and studies completed, together with a chronological record of candidate's employment, with complete information relative to duties and type of work performed, and particularly outlining the applicant's responsibilities. This information will be evaluated and if the candidate is found definitely ineligible for examination at that time, he or she will be so notified. If the candidate appears eligible at the time for examination, he or she will be so notified and a form will be sent on which to make formal application for a certificate of competency subject to the rules and regulations of the board.~~

~~Applications for certificates shall be made on forms prescribed and furnished by the board and shall be filed with the secretary of the board accompanied by an examination fee of seventy-five dollars (\$75.00) if for a master's examination, and fifty dollars (\$50.00) if for a journeyman's examination. No such fee, so paid, shall be subject to refund to such applicant in case of his or her failure to pass such examination, and each such examination fee, so paid, shall be in addition to the fee to be paid by such applicant for a certificate of competency, as hereinafter provided.~~

~~The examining board may issue a temporary journeyman steam and hot water installer's certificate which may be held valid until the date of the next scheduled examination. Each person desiring such temporary certificate as herein provided, shall, before the issuance of such certificate, file with the examining board a notice of intent to take examination and an application for examination on forms provided by the examining board and shall pay the examination fee of fifty dollars (\$50.00). (Code 1960, As Amend., § 313.140; 77 Or 147, § 1, 7-15-77; Pet. No. 251179, § 53, 12-29-89; 90 Or 076, § 2, 3-16-90)~~

~~277.530. Fees for certificates and renewals. The applicant shall pay to the examining board for the first and original certificate of competency, master or journeyman steam and hot water heating systems and steam piping systems installer, and each renewal thereof, and for an apprentice registration certificate, the sum of thirty dollars (\$30.00), whenever a certificate of competency has not been renewed by on or before December thirty-first of the renewal year, a double fee shall be imposed. (Code 1960, As Amend., § 313.150; 76 Or 204, § 2, 11-12-76; 81 Or 255, § 1, 10-9-81; 89 Or 197, § 2, 10-13-89; 2000 Or 099, § 2, 10-13-00)~~

~~277.540. Grandfather clause. Every person who, on April 26, 1957, held an unexpired and unrevoked certificate of competency as a master steam and hot water heating installer or journeyman steam and hot water heating installer issued pursuant to the provisions of the ordinance then in effect, shall receive a certificate of competency as a master or journeyman steam and hot water heating installer as so defined herein, and shall not be required to take an examination. Each such holder of a certificate of competency as a master steam and hot water heating installer or a journeyman steam and hot water heating installer shall be entitled to subsequent renewals of the certificate upon payment of the fee set forth in section 277.530. (Code 1960, As Amend., § 313.160; Pet. No. 251179, § 54, 12-29-89)~~

~~277.550. License; place of business to be recorded. On receiving a license, the licensee shall have the same recorded in the office of the director of inspections, together with the business address, and in case of removal therefrom shall immediately notify said director of the new business address. (Code 1960, As Amend., § 313.180; Pet. No. 251179, § 55, 12-29-89)~~

~~277.560. Licensee to supervise work. All constructing, installing, altering, repairing and servicing of steam and hot water heating systems, steam piping systems, and cooling piping and equipment in the city, shall be done under the immediate supervision and control of a licensee under this article. (Code 1960, As Amend., § 313.190)~~

~~277.570. Forfeiture of license. (a) It shall be unlawful for any person licensed herein to allow his or her name to be used by any other person for the doing of any work regulated by the provisions of this article, or to obtain a permit for any such person; and no person licensed by this article shall permit or allow any employee to do or perform any work regulated by this article unless such employee is the holder of a valid certificate of competency as a journeyman steam and hot water [heating] installer or proper registration as an apprentice steam and hot water [heating] installer issued by the examining board.~~

~~(b) The violation of any provision of this section by any licensee shall, upon conviction thereof, be cause for a revocation of the license and the director of inspections shall thereafter refuse to issue any permits to do any such work under any license so revoked. (Code 1960, As Amend., § 313.200; 77 Or 041, § 1, 2-25-77; Pet. No. 251170, § 56, 12-20-89)~~

~~277.580. Revocation of licenses. Upon the presentation of satisfactory proof to the city council that any such licensee has failed to conform with any ordinance provisions of the city relating to the construction, installation, alteration, repair or servicing of steam or hot water heating systems, steam piping systems, or cooling piping and equipment, the city council shall revoke the license, and any license issued hereunder may be revoked as provided by the City Charter. (Code 1960, As Amend., § 313.210; Pet. No. 251170, § 57, 12-20-89)~~

Charter references: License revocation, Ch. 4, § 16.

~~277.590-277.600. Reserved.~~

ARTICLE IV. RESERVED*

*Editor's note: Ord. No. 98-Or-020, § 1, adopted March 6, 1998, repealed Art. IV, §§ 277.610-277.860, which pertained to heating, air conditioning and ventilating installers. See the Code Comparative Table.

~~277.610-277.880. Reserved.~~

ARTICLE V. RESERVED*

*Editor's note: Ord. No. 98-Or-020, § 2, adopted March 6, 1998, repealed Art. V, §§ 277.890-277.1100, which pertained to refrigeration installers. See the Code Comparative Table.

~~277.890-277.1120. Reserved.~~

ARTICLE VI. PLUMBERS*

~~*Cross references: Plumbing code, Ch. 101.~~

~~State law references: Regulation and licensing of plumbers, M.S. § 326.37 et seq.~~

~~277.1130. License required. No person shall carry on the business of plumbing within the city, making any connections whatever with the water pipes, water mains, branch sewers, main sewers, drains or other service pipes of the city, or making any repairs, additions or alterations of any pipe, tap, stopcock, water closet or any other fixture connected with or designed to be connected with the water works or sewer system of the city, without first having obtained a license to do so. (Code 1960, As Amend., § 317.010)~~

~~277.1140. Applications. Any person desiring a license as provided in section 277.1130 shall first submit an application to the city council. Such person, at the time of such application, shall present to the city council, a certificate of competency from the board of examiners of plumbers, as hereinafter provided. No person shall engage in or work at the business of plumbing until he or she shall have first received such certificate of competency or a certificate of registration from said board. (Code 1960, As Amend., § 317.020; Ord. of 10-26-73, § 1; Res. No. 251170, § 70, 12-20-89)~~

~~277.1150. Journeymen and master plumber/gasfitters to be certified. No person shall engage in the occupation of or work as a journeyman or master installer in the construction, installation, alteration, or repair of any plumbing in the city without first having secured a certificate of competency as a journeyman or master plumber/gasfitter from the examining board as herein provided. (Code 1960, As Amend., § 317.020; Ord. of 11-9-73, § 1; 98-Or-020, § 3, 3-6-98)~~

~~277.1160. Temporary certification of journeymen pending examination. The examining board may issue a temporary journeyman plumber's certificate which shall be held valid until the next scheduled examination has been held and the results of said examination certified by the examining board. Each person desiring such temporary certificate as herein provided shall, before issuance of such certificate, submit to the examining board an application for examination on forms provided by the examining board, and shall pay the examination fee of seventy-five dollars (\$75.00). No person shall be issued such certificate unless he or she submits proof of possession of a current State of Minnesota journeyman plumber's license, or possession of a current journeyman plumber's license from any other state and has made application to the Minnesota State Plumbing Board for examination. The recipient of a temporary certificate, as herein provided, shall be permitted to work on plumbing only under the immediate supervision of a licensed Minneapolis master plumber or a journeyman plumber in possession of a certificate of competency issued by the examining board. No person may be issued more than one temporary certificate as herein provided. (Code 1960, As Amend., § 317.020; Ord. of 11-9-73, § 1; 77-Or-147, § 1, 7-15-77; Pet. No. 251179, § 80, 12-29-89; 90-Or-076, § 7, 3-16-90; 91-Or-176, § 1, 9-13-91)~~

~~277.1170. Examining board; membership; term. The director of inspections, or duly designated deputy, the sanitary plumbing inspector of the department of health, the registrar of the waterworks department and one master plumber and one journeyman plumber to be appointed by the city council, after receiving recommendations from the director of inspections, shall constitute and be a board of examiners to examine and pass upon the applications of all applicants for a certificate of competency to engage in or work at the plumbing business in the city. Such master plumber and journeyman plumber so appointed shall continue members of the board until their successors are duly appointed and qualified. All appointments to the board of examiners, except when made for the unexpired portion of an uncompleted term, shall be for a term of three (3) years beginning the first day of November, 1977. (Code 1960, As Amend., § 317.030; Ord. of 3-9-73, § 1; 77-Or-076, § 1, 4-29-77; 77-Or-180, § 5, 8-25-77; Pet. No. 251179, § 81, 12-29-89)~~

~~277.1180. Organization of board. The director of inspections or duly designated deputy shall be president, and the registrar of the waterworks shall be secretary of the board. The board shall organize, and shall designate the times and places of its meetings for examinations of all applicants for a certificate of competency to engage in or work at the business of plumbing in the city. The board shall hold at least one regular meeting in each month, and such other special or adjourned meetings as it may designate, and shall have the power to adopt suitable rules and regulations governing its procedure and the method of conducting its examinations. (Code 1960, As Amend., § 317.040; Pet. No. 251179, § 82, 12-29-89)~~

~~277.1190. Duties of board. The board shall examine each applicant for a certificate of competency as to their practical and technical knowledge of house draining, plumbing, plumbing ventilation, and gas fitting, and if satisfied of their competency the president and secretary of the board, when directed to do so by a majority of the board, shall so certify and issue to the applicant a certificate of competency. Each master and journeyman certificate of competency so issued, and each renewal of any such certificate, shall expire on December first of each year. In case any certificate of competency shall lapse for a period of two (2) years or more, then it shall be necessary for the person who held such certificate to seek approval from the examining board before receiving a renewal of such certificate upon payment of the renewal fees for same. The actual expenses of the board shall be paid from funds in the city treasury available therefor. (Code 1960, As Amend., § 317.050; 85-Or-194, § 5, 10-11-85; 98-Or-020, § 4, 3-6-98)~~

~~277.1200. Registration of apprentices. Any person desiring to engage in the occupation of or work as an apprentice on the construction, installation, alteration or repair of plumbing shall first secure from the examining board a certificate of registration as an apprentice plumber. No such certificate of registration as an apprentice plumber shall be issued unless the applicant therefor is registered with the Minnesota Director of Apprenticeship Training of the Minnesota Department of Labor and Industry, and is indentured to the Minneapolis Joint Apprenticeship Committee. The fee for registration as an apprentice plumber shall be fifteen dollars (\$15.00), and such registration certificate shall expire five (5) years after issuance. (Code 1960, As Amend., § 317.050; 77-Or-147, § 1, 7-15-77; 81-Or-255, § 2, 10-9-81; 89-Or-197, § 5, 10-13-89; Pet. No. 251179, § 83, 12-29-89)~~

~~277.1210. Applications for certificates; examination fees. Any applicant desiring a license shall file his or her application with the president of the board for a certificate of competency, together with the examination fee set out herein, and shall present himself or herself for examination at the next regular meeting of the board or at such other time as may be directed by the board. The examination fee to be paid at the time of the application for examination shall be seventy-five dollars (\$75.00). (Code 1960, As Amend., § 317.060; 77-Or-147, § 1, 7-15-77; Pet. No. 251179, § 84, 12-29-89; 90-Or-076, § 8, 3-16-90; 91-Or-176, § 2, 9-13-91)~~

~~277.1220. Fees for certificates, renewals. The applicant shall pay to the board, for the first or original certificate of competency, master or journeyman, and each renewal thereof, a fee of thirty dollars (\$30.00). Whenever a certificate of competency has not been renewed by on or before December thirty-first of the renewal year, a double fee shall be imposed. The fees received for examinations, certificates and renewals shall be paid into the city treasury by the board. (Code 1960, As Amend., § 317.070; 76-Or-204, § 2, 11-12-76; 81-Or-255, § 1, 10-9-81; 89-Or-197, § 6, 10-13-89; 2000-Or-099, § 3, 10-13-00)~~

~~277.1230. Enforcement. The director of inspections and the plumbing inspectors under the director's supervision shall enforce and cause to be enforced the provisions of this article. (Code 1960, As Amend., § 317.080; Pet. No. 251179, § 85, 12-29-89)~~

~~277.1240. Place of business. Every licensee hereunder must maintain a place of business in the State of Minnesota. As used herein, place of business shall mean a bona fide location where the business for which the license is issued is transacted. (Code 1960, As Amend., § 317.090; Ord. of 10-26-73, § 1)~~

~~277.1250. Reference to committee. In the matter of granting of plumbers' licenses the city council, upon the presentation of the application therefor, shall refer the same to the appropriate committee, and such licenses shall be granted only upon recommendations made by said committee. (Code 1960, As Amend., § 317.100)~~

~~277.1260. Bond for general plumbing. Before a license shall be granted, the applicant shall execute and deposit with the director of licenses and consumer services a bond in the sum of two thousand dollars (\$2,000.00), with two (2) or more sureties thereon, to be approved by the city council, which bond shall be conditioned that the applicant shall in all respects well and faithfully perform all things undertaken in the making of connections, repairs or taps of any kind with the water mains or pipes connected with the water works system of the city, and shall save the city harmless of and from all accidents and damages consequent thereto or by reason of any opening in any street, alley or other public place made by the applicant or employees, for the purpose of putting down service pipes connecting with the water works of the city, and that the applicant will restore all streets excavated to their former good condition, and will keep and maintain the street and sidewalk in good condition, to the satisfaction of the city engineer, for the period of one year next thereafter, and will pay all penalties imposed by the appropriate committee for the violation of any rule or regulation of the water works department, and shall strictly comply with and do all things required by the ordinances of the city. (Code 1960, As Amend., § 317.110; Pet. No. 251179, § 86, 12-29-89)~~

~~277.1270. Bond for sewer work. Before being granted a license, the applicant shall also execute and deposit with the department of regulatory services, licenses and consumer services division a bond in the amount and upon the same conditions as the one specified in section 277.1130, covering acts in making connections with or repairs on any service pipe connecting with the sewer system of the city. (Code 1960, As Amend., § 317.120; Pet. No. 251179, § 87, 12-29-89; 92-Or-161, § 1, 11-20-92)~~

~~277.1280. Surety on bonds. No licensed plumber shall become a surety on the bonds furnished or to be furnished by any applicant under this article. (Code 1960, As Amend., § 317.130)~~

~~277.1290. Exceptions for journeyman. The provisions of sections 277.1250 to 277.1280, inclusive, shall not apply to, nor shall any bond be required of, any journeyman plumber who is employed only as such. (Code 1960, As Amend., § 317.140)~~

~~277.1300. Revocation of licenses. The appropriate committee may revoke the license of any plumber whenever, in the opinion of said committee, the conduct of the licensee is or has been such as to justify such action. Such revocation shall be subject to the approval of the city council. The city engineer shall notify the appropriate committee of any known violation of the provisions of this Code touching the duties of plumbers. (Code 1960, As Amend., § 317.150; Pet. No. 251179, § 88, 12-29-89)~~

~~Cross references: Revocation of plumber's license for violation of waterworks regulations, § 505.100.~~

~~277.1310. License in firm name. Whenever two (2) or more persons are to be engaged in the business of plumbing as a copartnership or corporation, the license shall issue in the name of the firm, copartnership or corporation obtaining the same, and a revocation or forfeiture of such license shall be deemed to affect each individual composing said firm, copartnership or corporation. (Code 1960, As Amend., § 317.160)~~

~~277.1320. Issuance of license. (a) All licenses granted hereunder shall be issued by the director of licenses and consumer services, from books prepared for that purpose, and on the stub of which shall be kept the name of the licensee, business location, the date of granting and the date of issuing the licenses, and such other detail as may be necessary to form a complete reference and memorandum of the license.~~

~~(b) To each person entitled to receive a plumber's license under the provisions of this article, the director of licenses and consumer services shall issue two (2) licenses, one authorizing the licensee to repair or lay branch sewers connected with or to be connected with the main sewers of the city, to excavate therefor, make extensions, additions or alterations, and do all acts pertaining thereto as permitted by the ordinances of the city; and one license authorizing the licensee to make repairs, lay water pipes connected with or to be connected with the water mains of the city, to excavate therefor, make extensions, additions or alterations, and do all acts pertaining thereto as permitted by the ordinances of the city. (Code 1960, As Amend., § 317.170; Pet. No. 251179, § 89, 12-29-89)~~

~~277.1321. Reciprocity. Whenever a master's certificate of competency or license or journeyman's certificate of competency is required by the terms of this chapter, any applicant for the license or certificate who presents a valid and subsisting license or certificate from the City of St. Paul in which the technical, mechanical, and examination fee requirements for securing the appropriate license or certificate are equal to those of Minneapolis, as shall be determined by the appropriate examining board, may receive the appropriate license or certificate to carry on a trade or occupation in the city without examination or payment of examination fees; provided that St. Paul reciprocates by accepting the applicable Minneapolis certificate of competency or license. However, nothing in this section shall exempt such an applicant from full compliance with all other requirements of this chapter including payment of license and certificate fees. Where a competency card holder or licensee fails to make required corrections after being duly notified by the department of inspections where work has been done, such failure or lack of compliance will then be recorded and information relative thereto will be forwarded to any locality where a reciprocal card or license could be held. (86-Or-135, § 1, 6-12-86)~~

~~277.1330. Expiration; transfer. All licenses shall terminate and expire on December first next succeeding their issuance, unless sooner revoked or forfeited as hereinbefore provided. Said licenses shall not be transferable or assignable. (Code 1960, As Amend., § 317.180)~~

~~277.1340. Fee. The license fee for said two (2) licenses shall be one hundred thirty-one dollars (\$131.00) per annum, to be paid at the time of the filing of the application. (Code 1960, As Amend., § 317.190; Ord. of 10-11-74, § 1; 77-Or-147, § 1, 7-15-77; 86-Or-041, § 1, 3-14-86; 86-Or-091, § 1, 5-9-86; 90-Or-014, § 1, 1-26-90; 91-Or-049, § 1, 3-29-91; 98-Or-046, § 1, 5-22-98)~~

~~277.1350. Place of business to be recorded. On receiving a license the licensee shall have recorded in the department of licenses and consumer services and also in the office of the registrar of the water works and the city engineer, the actual place of business, giving the street and number, and in case of removal therefrom, shall immediately notify said offices of the same. (Code 1960, As Amend., § 317.200; Ret. No. 251179, § 90, 12-29-89)~~

~~277.1360-277.1370. Reserved.~~

ARTICLE VII. RESERVED*

*Editor's note: Ord. No. 98-Or-020, § 5, adopted March 6, 1998, repealed Art. VII, §§ 277.1380-277.1540, which pertained to gas fitters. See the Code Comparative Table.

~~277.1380-277.1560. Reserved.~~

~~ARTICLE VIII. PLASTERERS~~

~~277.1570. Definitions. The following words and phrases when used herein shall have the meanings respectively ascribed to them:~~

~~Aggregate. "Aggregate" shall mean an inert material used as a filler with cementitious material and a liquid to produce plaster.~~

~~Lath. "Lath" shall mean a material which is applied separately to a structure and whose primary function is that of a plaster base.~~

~~Lathing or lathing work. "Lathing or lathing work" shall mean the installation of wood, gypsum, wire or metal lath, fireboard, foamed plastic material, or other materials whose primary function is that of a plaster base and shall include the erection and installation of light iron construction; light iron partitions, and suspended ceiling structures for the purpose of receiving lath to which plaster is to be applied, and the installation of furring, brackets, clips and hangers in connection with such installations.~~

~~Plaster. "Plaster" shall mean a cementitious material or combination of cementitious materials and aggregate that, when mixed with a suitable amount of liquid, forms a plastic mass or paste which, applied to a suitable plaster base, adheres to it and subsequently sets or hardens to form a hard covering for surfaces in any building or structure. The term "plaster" is used without regard to the specific composition of the material and does not explicitly denote either interior or exterior use. The term "stucco" is used without regard to specific composition of the material but is used to denote and describe plaster applied on exterior locations.~~

~~The term "cementitious material" being a descriptive term of broad coverage, its use by reference herein is to cover materials, and application of said materials, including all spray applied, code required, fire resistive materials one quarter inch or more in thickness when their use and manner or method of application is performed in the usual methods of the lathing and plastering industry as provided for in this article.~~

~~Plaster work and stucco work. "Plaster work and stucco work" shall mean the installing or repairing of plaster or stucco and the installation of all ornamental work made of plaster or stucco, whether precast or formed on the job.~~

~~Plastic. "Plastic" shall have a meaning distinct from "fluid" in that materials in a "plastic" state require a measurable force (yield value) to start to flow. (Code 1960, As Amend., § 319.015; 86-Or-073, § 1, 4-25-86)~~

~~277.1580. License required. No person shall do or install any plastering, stucco or lathing work for which a permit is required by this Code or carry on the business of plastering or stucco work or lathing, without having first secured a plasterer's license from the city council. Said license shall be issued in accordance with the provisions of this article. (Code 1960, As Amend., § 319.010; Pet. No. 251179, § 98, 12-29-89)~~ License required. No person shall do or install any plastering, stucco or lathing work for which a permit is required by this Code or carry on the business of plastering or stucco work or lathing, without having first secured a State residential building contractor or residential remodeler license or a residential specialty contract license from the city council. Said license shall be issued in accordance with the provisions of this article. (Code 1960, As Amend., § 319.010; Pet. No. 251179, § 98, 12-29-89)

~~277.1590. Application for license. Every person desiring a license as required by this article shall make written application to the city council, stating therein the name of the person, firm or corporation desiring such license and place of business. No such license shall be issued unless such person, or where such applicant is a firm or corporation, a member of such firm or an officer of such corporation, at the time of making such application is in possession of a certificate of competency as a "master plasterer and lather." (Code 1960, As Amend., § 319.010; Pet. No. 251179, § 99, 12-29-89)~~

~~277.1600. Issuance of license. Each such license shall be issued by the director of licenses and consumer services upon order of the city council. (Code 1960, As Amend., § 319.020)~~

~~277.1610. Supervision of work. All plastering, stucco and lathing work done in the city shall be done under the immediate supervision and control of a person duly licensed under the provisions of this article. (Code 1960, As Amend., § 319.025)~~

~~277.1620. Bond. With each application for a license, the applicant shall furnish a surety bond to the city in the sum of two thousand five hundred dollars (\$2,500.00), conditioned that the licensee, in all materials and equipment furnished, and in all work done and performed in plastering, stucco or lathing work in the city shall strictly comply with the provisions of the ordinances relating thereto. (Code 1960, As Amend., § 319.030; Pet. No. 251179, § 100, 12-29-89)~~

~~277.1630. Permits required. No person shall commence or proceed with any inside plastering or outside stucco work, or with any "lathing work," as herein defined, in or on any building or structure in the city without first obtaining and having a permit therefor from the director of inspections, or fail or neglect to comply with the provisions of this Code relating to plastering, stucco or lathing work. All work shall be done under the supervision and subject to the inspection and approval of the department of inspections. However, no permit shall be~~

~~required for any job of plastering or lathing, the value of which does not exceed one hundred dollars (\$100.00). (Code 1960, As Amend., § 319.035)~~

~~—Cross references: Plaster, stucco and lathing permit fees, Ch. 81, Art. X.~~

~~277.1640. Exceptions. Notwithstanding other provisions of this article, the following lathing operations may be performed by other than registered lathers and no permit shall be required for such work, but the materials and workmanship shall be as required herein and all such work shall be subject to the inspection and approval of the plastering inspector:~~

~~—(a) — Lath hangers and ties which are to be embedded in concrete or which are attached to structural steel which is to be encased in fireproofing.~~

~~—(b) — Metal floor and roof forms having metal lath attached by the manufacturer. (Code 1960, As Amend., § 319.035)~~

~~277.1650. Permits for refinishing of exterior stucco. No person shall commence or proceed with the refinishing of any exterior stucco on any building by applying to such stucco either paint, cement or any liquid or plastic material of whatever nature without first having secured from the director of inspections a permit authorizing such refinishing. An application for such permit shall be made at the office of the director of inspections by the person desiring to apply such refinishing or to have the same done, whereupon inspector shall inspect the condition of the stucco to be so refinished and of the metal lath or other plaster base to which said stucco was applied, and such permits shall be issued only when said inspector shall have found said stucco and its plaster base in a safe and secure condition throughout or when all patching, repairing or other work necessary, in the judgment of said inspector, to put said stucco and its plaster base in a safe and secure condition throughout shall have first been completed to the satisfaction of said inspector. However, the securing of a license shall not be required for such refinishing of exterior stucco, as hereinbefore required for plastering and stucco work, where the material used for such refinishing is in a liquid form and is not applied with a plasterer's trowel or stucco dashing brush. (Code 1960, As Amend., § 319.063; Pet. No. 251179, § 101, 12-20-80)~~

~~277.1660. To whom permits issued. (a) No permit for the installation of any plastering or stucco work, or of any lathing work such as is included in the definition of "lathing" or "lathing work," as set forth in this article shall be issued by the director of inspections to any person other than a licensed plasterer, duly licensed as herein provided, to do such work.~~

~~(b) — However, and notwithstanding any other provision of this Code of Ordinances to the contrary and where permitted by state law, permits may be issued to do plastering or stucco work and any lathing work such as is included in the definition of "lathing" or "lathing work" as set forth in this article in a single-family dwelling structure used exclusively for living purposes or any accessory building thereto; provided that all such work in connection therewith shall be performed only by the person who is the bona fide owner and occupant of such dwelling as that person's residence or a member of said owner-occupant's immediate family as herein defined. "Immediate family" includes only a parent, children by birth or adoption and said children's spouse. (Code 1960, As Amend., § 310.037; Ret. No. 251179, § 102, 12-29-89)~~

~~277.1670. Notices to inspector. (a) Upon completion of lathing work. Each person installing any "lathing work" for which a permit from the director of inspections is required by this Code, immediately upon the completion of such work, or of any portion thereof upon which plastering or stuccoing is to be immediately applied, shall advise the office of the director that such work, or such portion thereof, has been completed, giving the number of the permit secured for such work and the location of the job, and request an inspection of said work by the department of inspections. No person shall apply any plastering or stucco upon such "lathing" or otherwise cover up the same, until such "lathing" shall have been inspected and accepted by the department of inspections.~~

~~(b) — Before plastering is commenced. Every person before doing any plastering or stucco work, for which a permit from the director of inspections is required by this Code, on or in any building in the city, shall first notify the director of inspections as to when such work is to be commenced. (Code 1960, As Amend., § 310.038)~~

~~277.1680. License fee. The fee for each such license shall be one hundred thirty-one dollars (\$131.00) per annum, to be paid at the time of the filing of the application. (Code 1960, As Amend., § 310.040; Ord. of 10-11-74, § 1; 77-Or-147, § 1, 7-15-77; 86-Or-041, § 1, 5-9-86; 86-Or-093, § 1, 5-9-86; 90-Or-014, § 1, 1-26-90; 91-Or-040, § 1, 3-29-91; 98-Or-046, § 1, 5-22-98)~~

~~277.1690. Expiration; transfer. The license shall terminate December first, next succeeding the issuance. The license shall not be transferable or assignable. (Code 1960, As Amend., § 310.050)~~

~~277.1700. Place of business; age. Every licensee under this article must maintain a place of business in the State of Minnesota, and no such license shall~~

be granted to any person less than eighteen (18) years of age. (Code 1960, As Amend., § 319.060)

~~277.1710. License and place of business to be recorded. Upon receiving a license, the licensee shall have the same recorded in the office of the director of inspections, together with the place of business, giving the street and number, and in case of removal therefrom shall immediately notify said director of inspections of the address of the new place of business, make application to the city council for transfer of license to the new address, and pay the required fee prescribed by section 277.1680. (Code 1960, As Amend., § 319.070; Pet. No. 251179, § 103, 12-29-89)~~

~~277.1720. Supervision of work. All plastering, stucco and/or lathing work shall be done under the supervision and control of a licensee under this article. (Code 1960, As Amend., § 319.080)~~

~~277.1730. Forfeiture of license. It shall be unlawful for any person licensed herein to allow his or her name to be used by any other person for the purpose of doing any work regulated by the provisions of this article, or to obtain a permit for any such person. No person licensed by this article shall after written notification by the director of inspections of such violation permit or allow any employee to do or perform any work regulated by this article unless such employee is the holder of a valid certificate of competency as a journeyman plasterer or journeyman lather, or is a registered apprentice. The violation of any provisions of this section by any licensee shall be cause for a revocation of the license and the director of inspections shall thereafter refuse to issue any permits to do any work under any license so revoked. (Code 1960, As Amend., § 319.090; Pet. No. 251179, § 104, 12-29-89)~~

~~277.1740. Revocation of license. Upon the presentation of satisfactory proof to the city council that any such licensee has failed to conform with any provisions of this article relating to plastering, stucco and/or lathing work, the city council may revoke the license. (Code 1960, As Amend., § 319.100; Pet. No. 251179, § 105, 12-29-89)~~

~~277.1750. What master may do. A master plasterer and lather is a person to whom a certificate of competency as such master plasterer and lather has been issued by the examining board, as herein provided, and by reason thereof is qualified to obtain a license for and engage in and carry on the business of doing or installing plaster, stucco or lath. (Code 1960, As Amend., § 319.110; Pet. No. 251179, § 106, 12-29-89)~~

~~277.1760. What journeyman plasterer may do. A journeyman plasterer is a person to whom a certificate of competency as such journeyman has been issued by the examining board, as herein provided, and by reason thereof is authorized to do and install plastering and stucco work under the supervision and direction of a duly licensed master plasterer and lather. No person shall hereafter engage in the occupation of, or work as, a journeyman plasterer in the city without first having secured a certificate of competency as a journeyman plasterer. No person shall be issued such certificate unless that person has had at least three (3) years regular employment as a plasterer or served an apprentice period in accordance with the state apprenticeship standards approved by the State of Minnesota. (Code 1960, As Amend., § 310.120; Pet. No. 251179, § 107, 12-29-89)~~

~~277.1770. What journeyman lather may do. A journeyman lather is a person to whom a certificate of competency as such journeyman, has been issued by the examining board, as herein provided, and by reason thereof is authorized to do and install lathing work under the supervision and direction of a duly licensed master plasterer and lather. No person shall hereafter engage in the occupation of, or work as, a journeyman lather in the city without first having secured a certificate of competency as a journeyman lather. No person shall be issued such certificate unless that person has had at least three (3) years regular employment as a lather or served an apprentice period in accordance with the state apprenticeship standards approved by the State of Minnesota. (Code 1960, As Amend., § 310.130; Pet. No. 251179, § 108, 12-29-89)~~

~~277.1780. What apprentice plasterer may do. An apprentice plasterer is a person regularly engaged in plastering and stucco work, learning the trade under direct supervision of a qualified journeyman plasterer and in possession of an apprentice plasterer's registration certificate, issued by the board of examiners as herein provided. No person shall hereafter engage in the occupation of, or work as, an apprentice plasterer in the city without first having secured a certificate of registration as an apprentice plasterer from the examining board. At the expiration of three (3) years of service as an apprentice plasterer, any person who has so served shall become eligible to make application to said examining board for a journeyman plasterer's certificate of competency. (Code 1960, As Amend., § 310.140)~~

~~277.1790. What apprentice lather may do. An apprentice lather is a person regularly engaged in lathing work, learning the trade under the direct supervision of a qualified journeyman lather, and in possession of an apprentice lather's registration certificate, issued by the board of examiners as herein provided. No person shall hereafter engage in, or work as, an apprentice lather in the city without first having secured a certificate of registration as an apprentice lather from the examining board. At the expiration of three (3) years of service as an apprentice lather any person who has so served shall become eligible to make application to said examining board for a journeyman lather's certificate of competency. (Code 1960, As Amend., § 319.150)~~

~~277.1800. Cancellation of certificate or registration. Any certificate of competency or registration such as above provided for may be withdrawn and canceled by order of the city council upon its appearing that the person to whom it was issued is unqualified to do or perform the work for which certified or registered. Such withdrawal and cancellation shall only be had, however, after written notice to the holder or registrant and an opportunity to be heard before the city council or one of its committees, by such holder or registrant or any committee or organization in that person's behalf. (Code 1960, As Amend., § 319.160; Ret. No. 251179, § 109, 12-29-89)~~

~~277.1810. Examining board established; appointments, terms. For the purposes of this article an examining board, to be known as the examining board of plasterers and lathers, shall be appointed by the city council upon recommendation of the director of inspections, and shall consist of five (5) members. One member shall be a member of the staff of the director of inspections, one member shall be actively engaged in the business of plastering in the city, one member shall be actively engaged in the business of lathing in the city, one member shall be a journeyman plasterer actively engaged in the plastering industry, and one member shall be a journeyman lather actively engaged in the lathing industry. Appointments to said examining board, except when made for the unexpired portion of an uncompleted term, shall be for terms of three (3) years beginning the first day of November, 1977, and until their successors are duly appointed and qualified. All members of the board shall serve without remuneration. (Code 1960, As Amend., § 319.170; Ord. of 3-9-73, § 1; 77-Or-180, § 6, 8-25-77; 77-Or-240, § 1, 11-23-77)~~

~~277.1820. Organization of board. Said examining board shall organize within thirty (30) days after appointment by the city council and shall elect a president and secretary whose duty it shall be to keep records of all applications, examinations, certificates issued, and renewals thereof, other activities of said board, and all fees received, and to pay into the city treasury as soon after their~~

receipt as practicable, all monies collected by such board. Regular meetings of such board shall be held on the third Tuesday of January, April, July and October, respectively, and special meetings shall be held when necessary at the call of the president of the board. (Code 1960, As Amend., § 319.180)

~~277.1830. Duties of board. It shall be the duty of the board to subject each applicant for a certificate of competency to such an examination and investigation as they may deem necessary to determine whether they have sufficient knowledge, skill, training and experience to enable them to properly carry on the business of, or work at the installing or doing of plastering, stucco, and/or lathing work, to issue to each applicant who satisfactorily passes such examination and investigation the desired certificate of competency, upon payment of the required fees therefor. Master and journeyman installers' certificates shall expire on December first of each year. In case any certificate of competency shall lapse for a period of two (2) years or more, then it shall be necessary for the person who held such certificate to seek approval from the examining board before receiving a renewal of such certificate, upon payment of the renewal fees for same. Provided, however, that the examining board may issue a renewal certificate, without examination, to persons whose certificates have lapsed while they were serving on active duty in the Armed Forces of the United States, when proper application therefor is made within sixty (60) days after separation from such service upon payment of the required fee. Such examining board shall have the power to prescribe all reasonable requirements as to the experience, training and character of applicants for such certificates of competency, to formulate and hold under such rules as they may establish all examinations of such applicants, both written and oral, and to pass upon the competency and fitness of each such applicant, and to issue certificates of registration as apprentices upon application therefor. The necessary expenses of such examining board shall be paid from any funds in the city treasury available therefor. (Code 1960, As Amend., § 319.190; 85-Or-194, § 7, 10-11-85)~~

~~277.1840. Application for certificates; examining fees. Each person desiring a certificate of competency as herein provided, whether for master or journeyman, shall file with such examining board, at least sixty (60) days prior to the date of examination, in order to allow such board ample time to investigate the applicant's record and qualifications, a notice of intent to take the required examination. Such notice of intent shall contain information relative to applicant's training, experience and education, and a chronological record of employment. This information will be evaluated by the examining board and if the candidate is found definitely ineligible for examination at that time, he or she will be notified of the reasons therefor, and no expense will have been incurred. If he or she is apparently eligible for examination he or she will be so notified and a form will be provided on which to make application for a certificate of competency. This application shall be submitted to the examining board together with an examination fee of seventy-five dollars (\$75.00) if for a master's examination, and fifty dollars (\$50.00) if for a journeyman's examination. No such examination fee~~

~~so paid, shall be subject to refund to such applicant in case of his or her failure to pass such examination, and each such examination fee so paid shall be in addition to the fee to be paid by such applicant for a certificate of competency as hereinafter provided. (Code 1960, As Amend., § 319.200; 77-Or-147, § 1, 7-15-77; Pet. No. 251179, § 110, 12-29-89; 90-Or-076, § 11, 3-16-90)~~

~~277.1850. Temporary journeymen's certificates pending examination. The examining board may issue a temporary journeyman plasterers or temporary journeyman lather's certificate which shall be valid until the next scheduled examination has been held and the results of said examination certified by the examining board. Each person desiring such temporary certificate as herein provided shall before the issuance of such certificate file with the examining board a notice of intent to take examination and an application for examination on forms provided by the examining board and shall pay the examination fee of fifty dollars (\$50.00). (Code 1960, As Amend., § 319.200; 77-Or-147, § 1, 7-15-77; 90-Or-076, § 12, 3-16-90)~~

~~277.1860. Fees for certificates and renewals. The applicant therefor shall pay to the examining board for the first and original certificate of competency, master or journeyman, and each renewal thereof, and for each apprentice registration certificate, thirty dollars (\$30.00). Each such fee shall be paid before the issuance of such certificate. Whenever a certificate of competency has not been renewed by on or before December thirty-first of the renewal year, a double fee shall be imposed. Certificate of registration as an apprentice shall be held valid and in force until applicant has completed an apprenticeship not to exceed five (5) years. Time spent on active duty service in the Armed Forces of the United States shall be excluded from apprenticeship period, and the examining board may extend the expiration date of apprentice certificates for a length of time equal to the time spent in such service. In all other cases such apprentice registration certificates must be renewed after five (5) years. (Code 1960, As Amend., § 319.210; 76-Or-204, § 2, 11-12-76; 81-Or-255, § 1, 10-9-81; 89-Or-197, § 9, 10-13-89; 2000-Or-099, § 4, 10-13-00)~~

~~277.1870. Reexamination. Any applicant who shall fail to pass the examination imposed by this article and conducted by the examining board may file a new application for a certificate and shall thereupon be eligible to file an application for a second examination by the examining board. However, should any applicant fail to pass the second examination, the applicant shall not be eligible to take a third examination until the elapse of a period of one (1) year from the date of the second examination. Any such applicant, upon the expiration of said year, may again make application for a certificate and shall then be entitled, after the payment of the required fees, to take a third examination to be conducted by the examining board at the next date set by said board for the conducting of~~

~~examinations for certificates to be issued hereunder. (77-Or-158, § 1, 7-29-77; Pet. No. 251179, § 111, 12-29-80)~~

~~277.1880. Job site notices. No alteration, addition or construction of lathing and/or plastering work shall in any case be commenced or performed unless there shall be conspicuously posted on the job site a rectangular-shaped notice at least eight (8) by ten (10) inches in size, but not larger than four (4) square feet, stating the name of the licensed lathing and/or plastering contractor, the business address of said contractor, and the license number of said contractor. In the event such notice is not posted, the director of inspections or his duly authorized agent or the police license inspector may stop all work on the job site until this article has been complied with. This article shall not be construed to apply to or include any persons performing any work herein defined upon their own property. (91-Or-109, § 1, 6-7-91)~~

~~ARTICLE IX. MASONRY CONTRACTORS~~

~~277.1890. License required. No person shall do or perform the work of a masonry contractor, as herein defined, within the city without first having obtained a license pursuant to this article. (Code 1960, As Amend., § 320.010; 85-Or-007, § 1, 1-11-85; 90-Or-020, § 1, 1-26-90)~~

~~277.1895. Class of license. There shall be two (2) classes of masonry contractor licenses. A Class A masonry contractor shall be licensed to engage in the business of any masonry work within the city, pursuant to the provisions of this article. A Class B masonry contractor shall be licensed to engage in the business of performing masonry work when such work is performed on property used for Group R Division 3 occupancy (one or two family dwellings and buildings and structures accessory thereto). (80-Or-101, § 1, 5-9-80; 83-Or-098, § 1, 4-29-83; 85-Or-007, § 1, 1-11-85; 90-Or-020, § 2, 1-26-90)~~

~~277.1900. Definition. The term "masonry contractor" as herein used shall mean a person, firm or corporation actually engaged in the business of performing masonry work within the city but shall not be construed to include any person actually engaged in the business of performing masonry work where:~~

~~(a) Such masonry work is performed under terms of a written contract with the city;~~

~~(b) Such masonry work is being done under the direct supervision of a professional engineer or architect registered as such under the laws of the State of Minnesota;~~

~~(c) Such work is done pursuant to Chapter 437 of this Code.~~

~~The term "masonry contractor" shall not include any plaster, stucco, tile, or cement finishing. (Code 1960, As Amend., § 320.020; 85 Or 007, § 1, 1-11-85; 90 Or 020, § 3, 1-26-90)~~

~~277.1010. Application; appeal from denial. Any person, firm or corporation duly authorized or licensed to conduct business in the State of Minnesota, may in writing, in such form as shall be provided, apply to the city council for a masonry contractor's license, which application shall be referred to the board of examiners hereby created. Upon such reference in each case, said board of examiners shall examine into said application and the competency of the applicant, and shall certify its findings and determination thereupon to the city council recommending the issuance or denial of the license sought by the applicant. If the applicant shall fail to pass the examination conducted by said board, such applicant may appeal to the city council from the decision of the board of examiners by filing with the director of inspections a written request for a review of the examination and the decision of the board. The director of inspections shall forthwith report such appeal to the appropriate committee at its next meeting held not sooner than the third day after the filing of the appeal, and shall notify the examiners, together with the applicant, requiring their presence before the committee. At such meeting, and not later than the following regular meeting, the committee shall inquire into the matter, and for such purpose may examine the applicant de novo as to skill and experience, and report its recommendation granting or denying the license, to the city council at the next regular meeting. (Code 1960, As Amend., § 320.030; 85 Or 007, 1-11-85; 90 Or 020, § 4, 1-26-90)~~

~~277.1020. Examining board established; appointments, terms. There is hereby created a board of examiners to examine and pass upon the applications of all applicants for a license as a masonry contractor consisting of five (5) members, four (4) of whom shall be appointed by the city council after receiving recommendations from the director of inspections. The director of inspections or any employee of the department designated by the director shall be a member and shall act as chairperson of the board; one member of the board shall be a member of the Minnesota Concrete and Masonry Contractors Association; and one member of the board may be nominated by the Bricklayers Union No. 2. Said appointive members, except when appointed for the unexpired portion of an uncompleted term, shall hold office for a term of three (3) years beginning the first day of November, 1977, and until their successors have been duly appointed and qualified. (Code 1960, As Amend., § 320.040; Ord. of 3-30-73, § 1; 77 Or 076, § 2, 4-29-77; 77 Or 180, § 7, 8-25-77; 85 Or 007, § 1, 1-11-85; 90 Or 020, § 5, 1-26-90)~~

~~277.1030. Meetings of board. A regular meeting of the board of examiners shall be held in each quarter of the calendar year, and additional or special meetings may be held when necessary at the call of the chairperson of the~~

board. (Code 1960, As Amend., § 320.050; 85-Or-077, § 1, 1-11-85; Ret. No. 251179, § 112, 12-29-89)

~~277.1040. Examinations. (a) The applicant for a license in each instance, exclusive of corporation applicants, shall appear for examination by the board of examiners at such time and place as the chairperson shall designate, and shall thereupon be subjected by the board to such examination for the purpose of determining eligibility and competency for such license as the board may in its discretion impose. No corporation shall be granted any license hereunder save such corporations as shall have and retain in their officership personnel a person eligible and possessed of the requisite competency to receive a license hereunder, and, in the event of an application by such a corporation, such officer thereof as it shall appoint for the purpose shall comply with all conditions hereof applicable to persons, firms and partnerships pertaining to examinations as conditions to the issuance of license hereunder. The license issued to a corporation in any such case shall be dependent for its continued effect upon the retention by the corporation as one of its officers the individual examined in the matter of the application of the corporation for such license.~~

~~(b) The board of examiners shall examine applicants for such licenses as to their practical knowledge of masonry work, and shall without delay thereafter certify its findings based upon such examination and respecting the eligibility and competency of the applicant in each case, for the issuance of the license sought by the application. (Code 1960, As Amend., § 320.060; Ord. of 11-8-74, § 1; 77-Or-147, § 1, 7-15-77; 78-Or-208, § 1, 10-13-78; 85-Or-007, § 1, 1-11-85; 90-Or-020, § 6, 1-26-90)~~

~~277.1050. Reexamination. Any applicant who shall fail to pass the examination imposed by this article and conducted by the board of examiners may file a new application for a license and shall thereupon be eligible to file an application for a second examination by the board of examiners. However, should any such applicant fail to pass the second examination, the applicant shall not be eligible to take a third examination until the elapse of a period of one year next succeeding the date of the second examination. Any such applicant upon the expiration of said year may again make application for license and shall then be entitled to take a third examination to be conducted by the board of examiners at the next date set by the board for the conduct of examinations for licenses to be issued hereunder. (Code 1960, As Amend., § 320.070; 85-Or-007, § 1, 1-11-85; Ret. No. 251179, § 113, 12-29-89)~~

~~277.1060. Insurance; bond. No class A license hereunder shall be issued in any case until the applicant therefor shall furnish a policy of insurance or certificate thereof insuring such applicant in the sum of at least fifty thousand~~

~~dollars (\$50,000.00) against liability imposed by law on account of bodily injuries or death of one person in any one accident and, subject to said limit for one person, to a limit of not less than one hundred thousand dollars (\$100,000.00) against liability imposed by law on account of bodily injuries or death of two (2) or more persons in any one accident, and in the sum of at least ten thousand dollars (\$10,000.00) against liability imposed by law on account of damage or destruction of property in connection with the doing and performance of such masonry work as defined in this article, and shall furnish a surety bond to the city in the sum of ten thousand dollars (\$10,000.00) running to the city for the benefit of and to protect any person for whom such masonry work shall be done from loss or damage arising out of the licensee's failure to comply with any specifications pertaining to such work, the use of inferior materials, incompetent work, failure to pay for labor and materials, and to guarantee the full and proper performance of all contracts entered into for the performance of such work by the licensee. Said surety bond shall first be approved as to form and execution by the city attorney before a license may issue.~~

~~No Class B license hereunder shall be issued in any case until the applicant therefor shall furnish a policy of insurance or certificate thereof insuring such applicant in the sum of at least twenty-five thousand dollars (\$25,000.00) against liability imposed by law on account of bodily injuries or death of one person in any one accident and, subject to said limit for one person, to a limit of not less than fifty thousand dollars (\$50,000.00) against liability imposed by law on account of bodily injuries or death of two (2) or more persons in any one accident, and in the sum of at least ten thousand dollars (\$10,000.00) against liability imposed by law on account of damage or destruction of property in connection with the doing and performance of such masonry work as defined in this article, and shall furnish a surety bond to the city in the sum of five thousand dollars (\$5,000.00) running to the city for the benefit of and to protect any person for whom such masonry work shall be done from loss or damage arising out of the licensee's failure to comply with any specifications pertaining to such work, the use of inferior materials, incompetent work, failure to pay for labor or materials, and to guarantee the full and proper performance of all contracts entered into for the performance of such work by the licensee. Said surety bond shall first be approved as to form and execution by the city attorney before a license may issue. (Code 1960, As Amend., § 320.080; 80 Or 101, § 2, 5-9-80; 85 Or 007, § 1, 1-11-85; 90 Or 020, § 7, 1-26-90)~~

~~277.1970. Issuance of license; fees. Every applicant for a license hereunder, who has been engaged in masonry work for a period of not less than twenty-four (24) months and can prove to the satisfaction of the board of examiners that said applicant has been so engaged, shall, upon certification by the board to the effect that said applicant is competent to engage as a contractor in such work, be entitled upon application and such certification to a license hereunder. The application shall be accompanied by the payment of an examination fee in the sum of fifty dollars (\$50.00), and no license shall be issued until the applicant has~~

~~paid the annual license fee of one hundred thirty one dollars (\$131.00). However, if the applicant chooses to be licensed in both concrete masonry under this section, and cement finishing under section 277.3510, the applicant shall be entitled to a fifty (50) percent reduction of the fee for the additional category. (Code 1960, As Amend., § 320.090; Ord. of 10-11-74, § 1; 77-Or-147, § 1, 7-15-77; 78-Or-208, § 2, 10-13-78; 85-Or-007, § 1, 1-11-85; 86-Or-041, § 1, 3-14-86; 86-Or-094, § 1, 5-9-86; 90-Or-014, § 1, 1-26-90; 90-Or-020, § 8, 1-26-90; 90-Or-076, § 13, 3-16-90; 91-Or-049, § 1, 3-29-91; 98-Or-046, § 1, 5-22-98; 98-Or-047, § 1, 5-22-98)~~

~~277.1980. Grandfather clause. Any applicant for a license to do masonry work who shall hold a valid license from the city to do said work on December 9, 1938, shall not be required to comply with the provisions of this article which pertain to an examination by the board of examiners and the requirement of twenty-four (24) months' experience as a masonry contractor. (Code 1960, As Amend., § 320.100; 85-Or-007, § 1, 1-11-85; 90-Or-020, § 9, 1-26-90)~~

~~277.1990. Place of business to be recorded. On receiving such license, the licensee shall cause the same to be recorded in the office of the director of inspections, giving the licensee's place of business, and in case such licensee shall move therefrom shall immediately notify the director of inspections in writing of such removal and the new address and place of business. (Code 1960, As Amend., § 320.110; 85-Or-007, § 1, 1-11-85; Pet. No. 251179, § 114, 12-29-89)~~

~~277.2000. Expiration, renewal of license. Each license issued hereunder shall expire on April first next succeeding its date of issuance, subject to renewal from year to year thereafter, conditioned upon the payment by the licensee in each case of an annual license fee. (Code 1960, As Amend., § 320.120; Ord. of 10-11-74, § 1; Ord. of 6-13-75, § 1; 77-Or-147, § 1, 7-15-77; 78-Or-208, § 3, 10-13-78; 85-Or-007, § 1, 1-11-85)~~

~~277.2010. Information to be filed. Each licensee hereunder shall file with the department of licenses and consumer services a verified statement in writing setting forth the location of the place of business and the name under which the business shall be conducted, and shall seasonably notify said department by filing with it a similar statement in writing setting forth any change respecting such location or name. Said department of licenses and consumer services shall compile and maintain an indexed record of all such information. (Code 1960, As Amend., § 320.130; 85-Or-007, § 1, 1-11-85; Pet. No. 251179, § 115, 12-29-89)~~

~~277.2020. Job site notices; exemption for property owners. No alteration, addition or construction of masonry work in connection with a residence, public or private garage, filling station, apartment building, or a commercial building where the cost of such alteration, addition or construction shall exceed fifty dollars (\$50.00) shall in any case be commenced or performed unless there shall be conspicuously posted on the job site a rectangular-shaped notice eight (8) by ten~~

~~(10) inches in size, or larger, stating the name of the licensed masonry contractor, the business address of said contractor, and the license number of said contractor. In the event such notice is not posted, the director of inspections or duly authorized agent or the police license inspector may stop all work on the job site until this article has been complied with. This article shall not be construed to apply to or include any person performing any work herein defined upon that person's own property. (Code 1960, As Amend., § 320.140; 85-Or-007, § 1, 1-11-85; 90-Or-020, § 10, 1-26-90)~~

~~277.2030. Transfer of license; permitting misuse. No holder of any masonry contractor's license, as herein provided, shall transfer or assign the same to any other person or allow his, or her, or their name to be used by any other party, either for the purpose of doing work or obtaining a permit, under the penalty of forfeiting the license. The director of inspections is authorized to refuse to issue permits to any licensee violating this provision. (77-Or-180, § 8, 8-25-77; 85-Or-007, § 1, 1-11-85; 90-Or-020, § 11, 1-26-90)~~

~~277.2040. Reserved.~~

~~ARTICLE X. CONCRETE BLOCK MANUFACTURERS~~

~~277.2050. License required. No person shall manufacture concrete blocks, concrete tile or cinder concrete blocks or tile for use in the city without first obtaining a license therefor from and upon application to the city council. (Code 1960, As Amend., § 321.010)~~

~~277.2060. Investigation and report. The applicant for any such license shall submit to the director of inspections a test report by an approved independent testing agency. No such license shall be granted until the director of inspections shall have examined and accepted said test report and recommended the issuance of such license. (Code 1960, As Amend., § 321.020)~~

~~277.2070. Issuance. The license shall be issued by the director of licenses and consumer services upon order of the city council. (Code 1960, As Amend., § 321.030)~~

~~277.2080. Fee. The license fee for each such license shall be one hundred thirty-one dollars (\$131.00) per annum, to be paid at the time of the filing of the application. (Code 1960, As Amend., § 321.040; Ord. of 10-11-74, § 1; 77-Or-147, § 1, 7-15-77; 86-Or-041, § 1, 3-14-86; 86-Or-095, § 1, 5-9-86; 90-Or-014, § 1, 1-26-90; 91-Or-049, § 1, 3-29-91; 98-Or-046, § 1, 5-22-98)~~

~~277.2090. Expiration; transfer. Each such license shall terminate on December first next succeeding the issuance of the same, unless sooner revoked or forfeited. The license shall not be transferable or assignable. (Code 1960, As Amend., § 321.050)~~

~~277.2100. Place of business; age. Every licensee hereunder must maintain a place of business in the State of Minnesota. No such license shall be granted to any person less than eighteen (18) years of age. (Code 1960, As Amend., § 321.060)~~

~~277.2110. Place of business to be recorded. On receiving a license, the licensee shall have the same recorded in the office of the director of inspections, together with the actual place of business, giving the street and number, and in case of removal therefrom shall immediately notify said director of such removal. (Code 1960, As Amend., § 321.070; Pet. No. 251179, § 116, 12-20-89)~~

~~277.2120. Revocation. Upon the presentation of satisfactory proof to the city council that any such licensee has failed to conform with any provision of this Code relating to the manufacture of concrete blocks, concrete tile or cinder concrete blocks or tile, the city council shall revoke such license. (Code 1960, As Amend., § 321.080)~~

~~277.2130. Reserved.~~

ARTICLE XI. RESERVED*

*Editor's note: 82-Or-213, § 1, adopted Oct. 29, 1982, repealed Art. XI, §§ 277.2140--277.2240, concerning building movers. Said article had derived from Code 1960, as amended, §§ 322.010--322.110, and ordinances of March 9, 1973, and Oct. 11, 1974, and 77-Or-147, adopted July 15, 1977.

~~277.2140--277.2260. Reserved.~~

ARTICLE XII. BUILDING WRECKERS*

*Cross references: Regulations governing wrecking of buildings, Ch. 117.

277.2270. License required. Except as hereinafter provided, no person shall wreck, demolish or tear down, or engage in the business of wrecking, demolishing or tearing down any building or structure within the city without first having obtained a license from the city council to do so. (Code 1960, As Amend., § 323.010)

277.2275. Classes of licenses. There shall be two (2) classes of building wreckers licenses. One shall be "building wrecker, Class A" and the other "building wrecker Class B." A building wrecker, Class A, shall be licensed to engage in the business of wrecking, demolishing or tearing down any building or

structure regardless of size or height. A building wrecker, Class B, shall be licensed to engage in the business of wrecking, demolishing or tearing down buildings not exceeding three (3) stories or thirty-five (35) feet in height and not exceeding a total of ten thousand (10,000) square feet of floor area on all floor levels above grade. (Ord. of 5-14-76, § 1)

277.2280. Fee. The fee for each such license shall be one hundred seventy-seven dollars (\$177.00) per annum, to be paid at the time of filing the application for license. If any such license is applied for and issued subsequent to December first of any license year, the license shall be prorated as provided by section 261.40, provided, that such license shall not be prorated or reduced to any amount less than ninety-one dollars (\$91.00). (Code 1960, As Amend., § 323.020; Ord. of 10-11-74, § 1; 77-Or-147, § 1, 7-15-77; 86-Or-041, § 1, 3-14-86; 90-Or-014, § 1, 1-26-90; 91-Or-049, § 1, 3-29-91; 98-Or-046, § 1, 5-22-98)

277.2290. Application. Application for such license shall be made to the city council in writing, stating therein the name of the person, firm or corporation desiring such license and the place of business. Said application shall be accompanied by the finance officer's receipt for the license fee and a written recommendation by the director of inspections, based upon standards promulgated by the director and approved by the city council relating to the competency, experience and equipment inventory of an applicant. (Code 1960, As Amend., § 323.030; Ord. of 5-14-76, § 2; Pet. No. 251179, § 117, 12-29-89)

277.2300. Insurance; bond. No class B license shall be granted unless the applicant shall carry public liability insurance in a reliable insurance company or companies. Such policy of insurance shall not contain any "XC" (explosion, collapse) exclusion. The liability insurance for personal injury shall be in the sum of three hundred thousand dollars (\$300,000.00) for one occurrence. Said policy shall also be in the sum of at least fifty thousand dollars (\$50,000.00) to cover loss or damage to property of any person or persons in any one occurrence. The city shall be named as an additional named insured in said policy. Copies of such public liability policy, together with a surety bond, shall be filed with the department of licenses and consumer services at the time of making application for the license. The surety bond shall be in the sum of ten thousand dollars (\$10,000.00) to indemnify and save the city harmless from all damages, judgments, losses, claims, suits or liabilities of every kind growing out of the wrecking or demolition of any building. Such public liability insurance policy and surety bond shall be approved by the city attorney before issuance of the license. No provisions in any such policy or bond relative to notice to the insurer from the assured of its intention to undertake wrecking, demolishing or tearing down operations shall bind the city. The public liability insurance policy, as well as the surety bond herein provided for, shall not be canceled except upon ten (10) days' written notice to the city, which written notice shall be served upon the department of licenses and consumer services.

No Class A license shall be granted unless the applicant shall carry public liability insurance in a reliable insurance company or companies. Such policy of insurance shall not contain any "XC" (explosion, collapse) exclusion.

The liability insurance for personal injury shall be in the sum of one million five hundred thousand dollars (\$1,500,000.00) for one occurrence. Said policy shall also be in the sum of at least one hundred fifty thousand dollars (\$150,000.00) to cover loss or damage to property of any person or persons in any one occurrence. The city shall be named as an additional named insured in said policy. Copies of such public liability policy, together with a surety bond, shall be filed with the department of licenses and consumer services at the time of making application for the license. The surety bond shall be in the sum of fifty thousand dollars (\$50,000.00) to indemnify and save the city harmless from all damages, judgments, losses, claims, suits or liabilities of every kind growing out of the wrecking or demolition of any building. Such public liability insurance policy shall be approved pursuant to section 259.160 and the surety bond shall be on a form approved by the city attorney. No provisions in any such policy or bond relative to notice to the insurer from the assured of its intention to undertake wrecking, demolishing or tearing down operations shall bind the city. The public liability insurance policy, as well as the surety bond herein provided for, shall not be canceled except upon ten (10) days' written notice to the city, which written notice shall be served upon the department of licenses and consumer services. (Code 1960, As Amend., § 323.040; Ord. of 5-14-76, § 3)

277.2310. Issuance of license. Each such license shall be issued by the director of licenses and consumer services, upon order of the city council. (Code 1960, As Amend., § 323.050)

277.2320. Place of business. The licensee must maintain a place of business in the State of Minnesota and, immediately upon receiving a license, shall have it recorded in the office of the director of inspections together with the actual place of business, giving street and number, and in case of removal therefrom shall immediately notify said director of such removal. The removal from the State of Minnesota by any such licensee of the place of business shall operate as a forfeiture of the license. No such licensee shall be deemed to have a place of business unless that licensee has acquired, maintained, and occupied at the location designated as the place of business, sufficient space for the keeping of the records in connection with wrecking work being done in the city and the conduct of business as such licensee, nor unless a sign bearing name and business be publicly exposed at said premises. (Code 1960, As Amend., § 323.060; Pet. No. 251179, § 118, 12-29-89)

277.2330. Expiration. Each license shall expire and terminate on December first next succeeding issuance, unless sooner revoked or forfeited. (Code 1960, As Amend., § 323.070)

277.2340. Revocation. The city council may, if it deems advisable, or after investigation and report by the director of inspections that the licensee has not complied strictly with this Code or any permit granted thereunder, revoke such license. (Code 1960, As Amend., § 323.080)

277.2350. Transfer of license; permitting misuse. No holder of any such license, as above provided, shall transfer or assign the same to any other person or allow his, her, or their name to be used by any other party, either for the purpose of doing work or obtaining a permit, under the penalty of forfeiting the license. The director of inspections is authorized to refuse to issue permits to any licensee violating this provision. (Code 1960, As Amend., § 323.090; Pet. No. 251179, § 119, 12-29-89)

277.2360. Exception from license. Notwithstanding the foregoing provisions, no license shall be required, except when ordered by the director of inspections on account of special hazards which make supervision by the department desirable, for the wrecking or tearing down of a dwelling not over two (2) stories in height, or a private garage or shed or other such minor buildings not exceeding one thousand (1,000) square feet of total floor area. (Code 1960, As Amend., § 323.100; Ord. of 5-14-76, § 4; Pet. No. 251179, § 120, 12-29-89)

277.2370--277.2380. Reserved.

ARTICLE XIII. RESERVED*

*Editor's note: An ordinance enacted Feb. 13, 1976, repealed Art. XIII, §§ 277.2390--277.2450, pertaining to licensing of metal awning installers. Said former sections were derived from Code 1960, as amended, §§ 324.010--324.070, and Ord. of 10-11-74, § 1.

277.2390--277.2470. Reserved.

ARTICLE XIV. SIGN HANGERS AND

BILLBOARD ERECTORS*

*Cross references: Regulations governing signs and billboards, Ch. 109.

~~277.2480. Application for license. Every person desiring a sign hanger's license or a billboard erector's license, as required by section 109.20, shall make application therefor to the city council, which application shall be referred to the board of examiners hereby created. (Code 1960, As Amend., § 325.010; 77-Or-180, § 9, 8-25-77)~~

~~277.2400. Investigation and report. Upon the filing of an application for such license, the same shall be referred to the board of examiners, which shall make full investigation of the qualifications of the applicant to carry on the work of installing signs upon the walls or roofs of the buildings or the erection of billboards. Applicant shall pay to the examining board, at the time of examination, a fee of fifty dollars (\$50.00). The board shall report its findings as to such qualifications to the city council. (Code 1960, As Amend., § 325.020; 77-Or-180, § 10; 8-25-77; 90-Or-076, § 14, 3-16-90)~~

~~277.2405. Board of examiners; appointment; term. There is hereby created a board of examiners consisting of three (3) members, two (2) of whom shall be appointed by the city council after recommendation by the director of inspections. One of the members so appointed shall be a member of an association of sign companies whose members are currently active in the erection of signs within the city; the other appointed member shall be a journeyman sign hanger actively engaged in the sign hanging industry. The director of inspections, or any employee of the department of inspections designated by the director, shall be the third member of the board of examiners and shall act as chairperson of the board. Each appointment, except when made for the unexpired portion of an uncompleted term, shall be for a term of three (3) years, beginning the first day of November, 1977, and until a successor has been duly appointed and qualified. The board of examiners herein created shall meet upon call or notice from the chairperson who shall be empowered to call a meeting of the board whenever there are a sufficient number of applicants for an examination, but in any event, there shall be at least one (1) examination every six (6) months for the examination of such applicants as shall have their applications on file. (77-Or-180, § 11, 8-25-77; Pet. No. 251170, § 121, 12-29-89)~~

~~277.2500. Insurance, bond. Each applicant for a license under this article shall file with the director of licenses and consumer services a public liability insurance policy or certificate of insurance issued by a company authorized to do business in Minnesota, insuring the applicant against any and all liability arising out of the performance of any sign or billboard work regulated by chapter 100 of this Code. The policy of insurance shall be in limits of not less than twenty-five thousand dollars (\$25,000.00) for injury or loss to one person, fifty thousand dollars (\$50,000.00) for each occurrence and ten thousand dollars (\$10,000.00) property damage. The policy or certificate shall contain an endorsement as provided by section 259.160 of this Code. Said policy shall provide that it may not be cancelled by the insurer except after ten (10) days written notice to the director of licenses and consumer services. Failure to keep in full force and effect insurance required herein is grounds for revocation of the license. The applicant shall furnish a surety bond to the city in the sum of five thousand dollars (\$5,000.00) running to the city for the benefit of and to protect any person for whom such work shall be done from loss or damage arising out of the licensee's failure to comply with any specifications pertaining to such work, the use of inferior materials, incompetent work, failure to pay for labor and materials, and to~~

~~guarantee the full and proper performance of all contracts entered into for the performance of such work by the licensee. Said surety bond shall first be approved as to form and execution by the city attorney before a license may be issued. (Code 1960, As Amend., § 325.030)~~

~~277.2510. Issuance of license. Upon the aforesaid report being filed with the city council, and the execution of the above required bond, the license may be granted or refused, in the discretion of the city council. The license shall be issued by the director of licenses and consumer services upon order of the city council. (Code 1960, As Amend., § 325.040)~~

~~277.2515. Transfer of license; permitting misuse. No holder of any such license, as above provided, shall transfer or assign the same to any other person or allow his, her, or their name to be used by any other party, either for the purpose of doing work or obtaining a permit, under the penalty of forfeiting the license. The director of inspections is authorized to refuse to issue permits to any licensee violating this provision. (77-Or-077, § 1, 4-29-77; Pet. No. 251179, § 122, 12-29-89)~~

~~277.2520. Fee. The license fee for each such license shall be one hundred thirty-one dollars (\$131.00) per annum, to be paid at the time of the filing of the application. (Code 1960, As Amend., § 325.050; Ord. of 10-11-74, § 1; 77-Or-147, § 1, 7-15-77; 86-Or-041, § 1, 3-14-86; 86-Or-096, § 1, 5-9-86; 90-Or-014, § 1, 1-26-90; 91-Or-049, § 1, 3-29-91; 98-Or-046, § 1, 5-22-98)~~

~~277.2530. Expiration; transfer. Each such license shall terminate on December first next succeeding the issuance of the same, unless sooner revoked or forfeited. The license shall not be transferable or assignable. (Code 1960, As Amend., § 325.060)~~

~~277.2540. Age. No such license shall be granted to any person less than eighteen (18) years of age. (Code 1960, As Amend., § 325.070)~~

277.2550--277.2560. Reserved.

ARTICLE XV. ELECTRICIANS*

*Cross references: Electrical code, Ch. 99.

277.2570. To be licensed by state. Electrical licenses shall be issued by the state board of electricity. (Code 1960, As Amend., § 326.010)

State law references: State licensing of electricians, M.S. § 326.241 et seq.

277.2580. License necessary for permit. No permit shall be issued to any applicant not having a valid state license in force. (Code 1960, As Amend., § 326.020)

277.2590. Qualifications of certain permit applicants. No permit for the installation and maintenance of fire alarm systems connected to the city emergency reporting system shall be issued unless the person, or if a firm or corporation, then a member or employee of such firm or an officer of such corporation, has had at least five (5) years of verifiable experience in the design, installation and maintenance of the National Fire Protection Association's approved fire alarm system as set forth in pamphlet No. 72B, 1967 entitled "Auxiliary Protective Signaling Systems of 1967" which said pamphlet is made a part hereof and is on file for public inspection in the offices of director of inspections, for the installation, maintenance, and use of proprietary, auxiliary and local systems for watchmen, fire alarm and supervisory service, as recommended by the National Fire Protection Association, or five (5) years of verifiable experience in the design or installation or maintenance of similar or allied alarm, watchman, or communication systems. However, in lieu of five (5) years of verifiable experience as required above, any holder of a State of Minnesota Master Electricians license, acquired by examination, may apply for such permit; such applicants, however, must pass an examination to be conducted by the department of inspections and fire department with a grade of seventy (70) per cent or more.

Further, no permit regulated by this section shall be issued to any person unless that person is properly licensed by the State of Minnesota. Contractors shall be insured as required for electrical contractors by Minnesota Statute 326.242, Subdivision 6. (Code 1960, As Amend., § 326.030; Pet. No. 251179, § 123, 12-29-89)

277.2600. Matters to be recorded. Every person applying for an electrical permit, shall file a copy of his or her current state license with the department of inspections and shall record in the office of the director of inspections the actual place of business and the name under which the business is transacted, and shall immediately notify the director of inspections of every change in such name or place of business, and such change shall be endorsed upon the license. (Code 1960, As Amend., § 326.040; Pet. No. 251179, § 124, 12-29-89)

277.2610--277.2620. Reserved.

~~ARTICLE XVI. BILLPOSTING AND SIGN PAINTING*~~

~~*Cross references: Regulations governing signs and billboards, Ch. 100; billposting in parks and parkways, § PB2-7.~~

~~277.2630. Definitions. "Billposting" and "sign painting," within the meaning of this article, shall mean the posting by tacking, pasting or painting upon public or private property of any advertising matter, bills, posters, pictures or any other matter or device whatever which advertises the business or products of any person, whether that of a merchant, manufacturer, publisher or person engaged in any business, commercial, industrial or other pursuits, except those for military or governmental purposes, signs advertising for sale or rent the premises upon which they are situated, or legal notices by public officers or attorneys in the manner and in the places prescribed by law. (Code 1960, As Amend., § 327.020)~~

~~277.2640. License required. No person shall engage in the business or occupation of billposting or sign painting in the city, without first having obtained a license therefor. No person shall post any bills or paint any signs anywhere upon any public or private property, nor engage in the business of billposting or sign painting, unless duly licensed as herein provided, or if an employee of a licensee, unless authorized to do so by a licensee and has and carries the identification card hereinafter provided. (Code 1960, As Amend., § 327.010; Pet. No. 251179, § 125, 12-29-89)~~

~~277.2650. Application. Any person, firm or corporation desiring a license as required by section 277.2640 shall make application to the city council, upon such form as shall be provided by the department of licenses and consumer services. Such application shall state the name, residence and business address of the applicant, whether the applicant desires to engage in such business personally or by the employment of others, and if by the employment of others, the number of persons to be employed. Such application shall contain such other and further information as may be required by the department of licenses and consumer services. (Code 1960, As Amend., § 327.030)~~

~~277.2660. Insurance, bond. Each applicant for a license under this article shall file with the director of licenses and consumer services a public liability insurance policy or certificate of insurance issued by a company authorized to do business in Minnesota, insuring the applicant against any and all liability arising out of the performance of billposting or sign painting as defined in this article. The policy of insurance shall be in limits of not less than twenty-five thousand dollars (\$25,000.00) for injury or loss to one person, fifty thousand dollars (\$50,000.00) for each occurrence, and ten thousand dollars (\$10,000.00) property damage. The policy or certificate shall contain an endorsement as provided by section 250.160 of this Code of Ordinances. Said policy shall provide that it may not be cancelled by the insurer except after ten (10) days written notice to the director of licenses and consumer services. Failure to keep in full force and effect insurance required herein is grounds for revocation of the license. The applicant shall furnish a surety bond to the city in the sum of five thousand dollars (\$5,000.00) running to the city for the benefit of and to protect any person for whom such posting or painting work shall be done from loss or damage arising out of the licensee's failure to comply with any specifications pertaining to such work, the~~

~~use of inferior materials, incompetent work, failure to pay for labor and materials, and to guarantee the full and proper performance of all contracts entered into for the performance of such work by the licensee. Said surety bond shall first be approved as to form and execution by the city attorney before a license may be issued. (Code 1960, As Amend., § 327.035)~~

~~-277.2670. Issuance of license. The application shall be presented to the city council at the next meeting after its filing, and if ordered by the city council, a license shall be issued to the applicant, which shall be known as and designated "Billposting and Sign Painting License." The license shall be assigned a number by the department of licenses and consumer services, which number shall be placed on such license. (Code 1960, As Amend., § 327.040)~~

~~-277.2680. Fee. The annual license fee shall be one hundred thirty-one dollars (\$131.00), to be paid at the time of the filing of the application. (Code 1960, As Amend., § 327.050; Ord. of 10-11-74, § 1; 77-Or-147, § 1, 7-15-77; 86-Or-041, § 1, 3-14-86; 86-Or-007, § 1, 5-9-86; 90-Or-014, § 1, 1-26-90; 91-Or-049, § 1, 3-29-91; 98-Or-046, § 1, 5-22-98)~~

~~-277.2690. Expiration. Each such license shall terminate on December first next succeeding issuance of the same, unless sooner revoked or forfeited. (Code 1960, As Amend., § 327.060)~~

~~-277.2700. Number required on poster. The licensee shall have, use and place upon all posters and signs posted and painted by the licensee and employees, in clear legible figures, the number of the license. (Code 1960, As Amend., § 327.070; Pet. No. 251179, § 126, 12-29-89)~~

~~-277.2710. Identification card. The department of licenses and consumer services, upon application by the licensee, shall provide the licensee and each billposter and sign painter employed by the licensee an identification card to be carried by the licensee and each employee at all times while engaged in such business or occupation. The identification card shall have upon it the name of the licensee, the name of the employee employed by the licensee and authorized to carry such identification card, and the words "Minneapolis Billposter and Sign Painter, License No. _____". (Code 1960, As Amend., § 327.080; Pet. No. 251179, § 127, 12-29-89)~~

~~-277.2720. Laws not to be violated. Nothing herein contained shall be construed as to permit billposting or sign painting upon any public or private property in any manner in violation of the laws of the State of Minnesota or any of the ordinances of the city. (Code 1960, As Amend., § 327.090)~~

~~277.2730. License additional to sign hanger's license. The license herein required for billposting and sign painting shall be in addition to the license required for sign hangers under Article XIV of this chapter. (Code 1960, As Amend., § 327.100)~~

~~277.2740. Revocation. Any license issued hereunder may be revoked by the city council for cause, and shall be revoked by the city council upon the second conviction of the licensee or any employee of the licensee for violation of the terms of this article. (Code 1960, As Amend., § 327.110; 90 Or 021, § 1, 1-26-90)~~

277.2750-277.2770. Reserved.

ARTICLE XVII. DRY WALL CONTRACTORS

~~277.2780. Definition. The term "dry wall contractor" as herein used shall mean a person, firm or corporation who as part of their business, does, or is in the business of installing, altering, repairing, or modifying gypsum board when such board is not to be used as a plaster base but is a component of an assembly which is required to be either sound or fire rated by city ordinances or state law. (Code 1960, As Amend., § 329.020; 85 Or 115, § 2, 6-14-85)~~

~~277.2790. License required. No person shall do or perform the work of a dry wall contractor, as herein defined, within the city without first having obtained a license pursuant to this article. Exception: Dry wall contractor's license shall not be required for persons doing the work of a dry wall contractor in an R-3 or M occupancy as defined in the state building code. Further a dry wall contractor's license shall not be required of persons performing the work of a dry wall contractor under the direct supervision of a graduate engineer or architect when such engineer or architect is the owner or an employee of the firm actually doing the work of a dry wall contractor. (Code 1960, As Amend., § 329.010; 85 Or 115, § 3, 6-14-85)~~

~~277.2800. Application; appeal from denial. Any person, firm or corporation may in writing, on such form as shall be provided, apply to the city council for a dry wall contractor's license, which application shall be referred to the board of examiners hereby created. Upon such reference in each case, said board of examiners shall examine into said application and the competency of the applicant, and shall certify its findings and determination thereupon to the city council recommending the issuance or denial of the license sought by the applicant. If the applicant shall fail to pass the examination conducted by said board, such applicant may appeal to the city council from the decision of the board of examiners by filing with the director of inspections a written request for a review of the examination and the decision of the board. The director of inspections shall forthwith report such appeal to the standing committee on licenses and consumer services at its next meeting held not sooner than the third~~

day after the filing of the appeal, and shall notify the examiners, together with the applicant, requiring their presence before the committee. At such meeting and not later than the following regular meeting, the committee shall inquire into the matter, and for such purpose may examine the applicant de novo as to skill and experience, and report its recommendation granting or denying the license to the city council at its next regular meeting. (Code 1960, As Amend., § 329.030; Pet. No. 251179, § 128, 12-29-89)

~~277.2810. Examining board established; membership; term. There is hereby created a board of examiners to examine and pass upon the applications of all applicants for a license as a dry wall contractor consisting of three (3) members, two (2) of whom shall be appointed by the city council after receiving recommendations from the director of inspections. The director of inspections or the director's designee, shall be a member and shall act as chairperson of the board. One member of the board shall be a person actively engaged as a dry wall contractor. The term of the appointive board members, except when made for the unexpired portion of an uncompleted term, shall be three (3) years beginning with the first day of November, 1977, and until a successor has been duly appointed and qualified. (Code 1960, As Amend., § 329.040; 77 Or 076, § 3, 4-29-77; 77 Or 180, § 12, 8-25-77; 85 Or 115, § 1, 6-14-85; Pet. No. 251179, § 129, 12-29-89)~~

~~277.2820. Meetings of board. The board of examiners shall meet upon call or notice from the chairperson, who shall be empowered to call a meeting of the board whenever there is a sufficient number of applicants for examination, but in any event there shall be at least one meeting every thirty (30) days for examinations of such applicants as shall have their application on file. (Code 1960, As Amend., § 329.050; Pet. No. 251179, § 130, 12-29-89)~~

~~277.2830. Examinations; fees for each test. (a) The applicant for a license in each instance, exclusive of corporation applicants, shall appear for examination by the board of examiners at such time and place as the chairperson thereof shall designate, and shall thereupon be subjected by the board to such examination for the purpose of determining eligibility and competency in relation to the application for such license as the board may in its discretion impose. No corporation shall be granted any license hereunder save such corporation as shall have and retain a person eligible and possessed of the requisite competency to receive a license hereunder, and, in the event of an application by such a corporation, such person thereof as it shall appoint for the purpose shall comply with all conditions hereof applicable to persons, firms and partnerships pertaining to examinations as conditions to the issuance of licenses hereunder. The license issued to a corporation in any such case shall be dependent for its continued effect upon the retention by the corporation as one of its employees the individual examined in the matter of the application of the corporation for such license. The examination fee, in each case, payable by the applicant, shall be fifty dollars (\$50.00) to cover the necessary costs.~~

~~(b) The board of examiners shall examine applicants for such licenses as to their practical knowledge of dry wall work and shall without delay thereafter certify its findings based upon such examination and respecting the eligibility and competency of the applicant in each case, for the issuance of the license sought by the application. (Code 1960, As Amend., § 329.060; Ord. of 11-8-74, § 1; 77-Or-147, § 1, 7-15-77; 78-Or-208, § 4, 10-13-78; Pet. No. 251179, § 131, 12-29-89; 90-Or-076, § 15, 3-16-90)~~

~~-277.2840. Reexamination. Any applicant who shall fail to pass the examination imposed by this article and conducted by the board of examiners may file a new application for a license and shall thereupon be eligible to file an application for a second examination by the board of examiners. However, should any such applicant fail to pass a second examination, the applicant shall not be eligible to take a third examination until the lapse of a period of one year next succeeding the date of the second examination. Any such applicant upon the expiration of said year may again make application for license and shall then be entitled to take a third examination to be conducted by the board of examiners at the next date set by the board for the conduct of examinations for licenses to be issued hereunder. (Code 1960, As Amend., § 329.070; Pet. No. 251179, § 132, 12-29-89)~~

~~-277.2850. Insurance; bond. No license hereunder shall be issued in any case until the applicant therefor shall furnish a policy of insurance insuring such applicant in the sum of at least twenty five thousand dollars (\$25,000.00) against liability imposed by law on account of bodily injuries or death of one person in any one accident and subject to said limit for one person, to a limit of not less than fifty thousand dollars (\$50,000.00) against liability imposed by law on account of bodily injuries or death of two (2) or more persons in any one accident, and in the sum of at least ten thousand dollars (\$10,000.00) against liability imposed by law on account of damage or destruction of property in connection with the doing and performance of such dry wall work as defined in this article, and shall furnish a surety bond to the city in the sum of five thousand dollars (\$5,000.00) running to the city for the benefit of and to protect any person for whom such dry wall work shall be done from loss or damage arising out of the licensee's failure to comply with any specifications pertaining to such work, the use of inferior materials, incompetent work, failure to pay for labor and materials, and to guarantee the full and proper performance of all contracts entered into for the performance of such work by the licensee. Said surety bond shall first be approved as to form and execution by the city attorney before a license may issue. (Code 1960, As Amend., § 329.080)~~

~~277.2860. Issuance of license; fee. Every applicant for license hereunder shall, upon certification by the board of competency to engage as contractor in such work, be entitled upon application and such certification to a license hereunder, and no license shall be issued without payment of the annual license fee of one hundred thirty-one dollars (\$131.00). (Code 1960, As Amend., § 329.090; Ord. of 10-11-74, § 1; 77-Or-147, § 1, 7-15-77; 78-Or-208, § 5, 10-13-78; 86-Or-041, § 1, 3-14-86; 86-Or-098, § 1, 5-9-86; Pet. No. 251179, § 133, 12-29-89; 90-Or-014, § 1, 1-26-90; 98-Or-046, § 1, 5-22-98)~~

~~277.2870. Place of business to be recorded. On receiving such license, the licensee shall cause the same to be recorded in the office of the director of inspections, giving the licensee's place of business, and in case such licensee shall move therefrom, the licensee shall immediately notify the director of inspections in writing of such removal and the new address and place of business. (Code 1960, As Amend., § 329.100; Pet. No. 251179, § 134, 12-29-89)~~

~~277.2880. Expiration; renewal. Each license issued hereunder shall expire on December first next succeeding its date of issuance, subject to renewal from year to year thereafter, conditioned upon the payment by the licensee in each case of an annual license fee as provided in section 277.2860. (Code 1960, As Amend., § 329.110; Ord. of 6-27-76, § 1)~~

~~277.2890. Information to be filed. Each licensee hereunder shall file with the department of licenses and consumer services a verified statement in writing setting forth the location of the place of business and the name under which the business shall be conducted, and shall seasonably notify said department by filing with it a similar statement in writing setting forth any change respecting such location or name. Said department shall compile and maintain an indexed record of all such information. (Code 1960, As Amend., § 329.120; Pet. No. 251179, § 135, 12-29-89)~~

~~277.2900. Job site notices; exemption for property owners. No alteration, addition or construction of dry wall work where the cost of such alteration, addition or construction shall exceed two hundred dollars (\$200.00) shall in any case be commenced or performed unless there shall be conspicuously posted on the job site a rectangular-shaped notice eight (8) by ten (10) inches in size, or larger, stating the name of the licensed dry wall contractor, the business address and the license number of said contractor. In the event such notice is not posted, the director of inspections or duly authorized agent may stop all work on the job site until this article has been complied with. This article shall not be construed to apply to or include any person performing any work herein defined upon that person's own property. (Code 1960, As Amend., § 329.130; Pet. No. 251179, § 136, 12-29-89)~~

~~277.2910-277.2930. Reserved.~~

ARTICLE XVIII. BUILDING CONTRACTORS Residential Specialty Contractor*

~~*Editor's note: Section 1 of 81-Or-264, adopted Oct. 30, 1981, repealed Art. XVII, §§ 277.2940-277.3080, concerning building contractors. Section 2 enacted a new article, relative to the same subject. Former Art. XVIII derived from § 1 of an ordinance of Nov. 26, 1975; § 1 of 77-Or-147, adopted July 15, 1977; and from §§ 1 and 2 of 80-Or-053, adopted April 11, 1980.~~

Cross references: Building regulations generally, Title 5.

277.2940. Definitions. As used in this article, the following terms shall mean:

Building contract means an oral or written agreement between a residential specialty contractor ~~building contractor~~ and an owner for the performance of a new construction, home improvement or home repair as defined in this article and includes all labor, service and materials furnished and performed thereunder.

Residential Specialty Contractor ~~Building contracting business~~ means the construction, repair, replacement, remodeling, alteration, conversion, modernization, improvement or addition to any building which is used as a private residence or dwelling place for ~~not more than three (3)~~ one (1) to four (4) families, including accessory buildings and land, ~~when:~~

~~(a) The cost of the work exceeds three five hundred dollars (\$300.00) (\$500.00) and it involves the installation, construction, cabinets, carpentry work, carpet installation, ceilings, cement/concrete work, countertops, drywall, means of entrance and egress, fascias, floors (including sanding), garages and other accessory buildings, gutters and downspouts, insulation, mud jacks, paneling, patios, porches, range hoods, resilient flooring, retaining walls, roof ventilation, sandblasting, sheet metal, shutters, sidewalks and steps, siding, soffits, solar stucco or plastering, swimming pools, or terrazzo.~~

~~(b) The work involves installation, construction, replacement or improvement of basements, driveways, insulation, painting, removal of ice and snow from roofs, roofing of all kinds, new storm and combination doors and windows, wall papering, wall tile or waterproofing, regardless of the cost or the requirement of a permit.~~

~~(c) The work requires a permit.~~

~~(d) Subcontracting trade work that requires a specialty license under Chapter 277 of the Minneapolis Code of Ordinances.~~

Residential specialty contractor - Building contracting establishment means any shop, establishment, place or premises where the residential specialty contractor building contracting business is carried on.

~~Class A~~ A residential specialty contractor building contractor means any person, other than a bona fide employee of a Class A residential specialty contractor building contracting business, who owns or operates a residential specialty contractor building contracting business, or who undertakes or offers to undertake or agrees to perform any residential specialty building contracting or negotiates or offers to negotiate a building contract with an owner, or solicits or otherwise endeavors to procure by any means whatsoever, directly or indirectly, a building contract from an owner, whether or not such person is a prime contractor or subcontractor with respect to the owner, ~~and whose building contracting business involves work encompassing four (4) or more unrelated categories, or engages in any type of roofing work, as enumerated in the definition of a building contracting business including the engaging of persons otherwise licensed under state or city law as subcontractors.~~

~~Class B building contractor means any person, other than a bona fide employee of a Class B building contracting business, who owns or operates a building contracting business, or who undertakes or offers to undertake or agrees to perform any building contracting or negotiates or offers to negotiate a building contract with an owner, or solicits or otherwise endeavors to procure by any means whatsoever, directly or indirectly, a building contract from an owner, whether or not such person is a prime contractor or subcontractor with respect to the owner, and whose building contracting business involves work encompassing three (3) or less unrelated categories as enumerated in the definition of a building contracting business including the engaging of persons otherwise licensed under state or city law as subcontractors.~~

~~Class C building contractor means an individual, natural person who is not an employee of a Class A or Class B building contractor and who performs labor only under a building contract entered into between a licensed Class A or Class B building contractor and an owner.~~

Director means the director of the department of licenses and consumer services division.

Employee means any individual who performs labor or services for a Class A or Class B residential specialty contractor for wages or salary when the building contractor deducts amounts from the wages or salaries as required by the state or federal government.

Owner means any homeowner, tenant or any other person who orders, contracts for or purchases services of a Class A or Class B residential specialty

~~contractor building contractor~~, or the person entitled to the performance of the work of a ~~residential specialty contractor contractor~~ pursuant to a building contract.

Workmanlike means any work, effort or project which has been executed in a manner which, in the opinion of the director of inspections, is consistent with good acceptable trade practices and which has been performed in accordance with the material manufacturers' recommendations and specifications. (81-Or-264, § 2, 10-30-81; 95-Or-004, § 1, 1-27-95)

277.2950. Exceptions. This article shall not apply to:

(a) Any person who is required by the state or local law to attain standards of competency or experience as a prerequisite to engaging in such craft or profession for which the person is currently licensed pursuant to such other law.

(b) Any retail clerk, clerical, administrative or other employee of a licensed contractor as to a transaction on the premises of the contractor.

(c) A building contract otherwise within the purview of this article which is made prior to the effective date of the respective provisions of this article governing such contracts.

(d) Any work which is done without compensation by private parties.

~~277.2950. Exceptions. This article shall not apply to:~~

~~(e) Any person performing wall tile or waterproofing licensed as a cement finisher. (81-Or-264, § 2, 10-30-81; Pet. No. 251179, § 137, 12-29-89; 97-Or-002, § 1, 1-24-97)~~

~~277.2960. License required. No person shall do or install any plastering, stucco or lathing work for which a permit is required by this Code or carry on the business of plastering or stucco work or lathing within the City, without having first secured a State residential building contractor or State residential remodeler license or a residential specialty contractor license from the city council. Said license shall be issued in accordance with the provisions of this article. License required. No person shall own, operate, maintain, conduct or engage in the building contracting business, transact a building contract or hold himself or herself out as being able to do so unless properly licensed therefor pursuant to this article. (81-Or-264, § 2, 10-30-81; Pet. No. 251179, § 138, 12-29-89)~~

(b) No person shall do or perform the work of a masonry contractor for which a permit is required by this Code or carry on the business of masonry within the City, without having first secured a State residential building contractor or State residential remodeler license or a residential specialty contractor license from the city council. Said license shall be issued in accordance with the provisions of this article.

(c) No person shall do or perform the work of a dry wall contractor for which a permit is required by this Code or carry on the business of dry wall within the City, without having first secured a State residential building contractor or State residential remodeler license or a residential specialty contractor license from the city council. Said license shall be issued in accordance with the provisions of this article.

277.2970. License limited. (a) A license issued pursuant to this article shall not authorize the licensee to perform any type of work or conduct a business for which a license is otherwise required under this code or state law.

(b) A license issued pursuant to this article shall not authorize the licensee to perform any type of work for which a permit is required without having obtained such permit.

~~(c) A person licensed to perform Class A building contracting may perform building contracting in any other classification.~~

~~(d) A person licensed to perform Class B building contracting may perform building contracting in any other classification except Class A.~~

~~(e) A person licensed to perform Class C building contracting shall not perform building contracting in any other classification. (81-Or-264, § 2, 10-30-81)~~

277.2980. Application required. Every licensee must complete the application form provided by the department of licenses and consumer services division. The application form shall contain all information required by the department of licenses and consumer services, including:

- (a) The name, residence address and telephone number of the applicant;
- (b) The name of the building contracting establishment, its address and telephone number;
- (c) Whether the applicant is a person, corporation or partnership;

(1) If the applicant is a corporation, the state of incorporation and the names, home addresses and telephone numbers of all officers and directors;

(2) If the applicant is a partnership, the names, home addresses and telephone numbers of all partners;

(d) The number of employees;

(e) The federal and state tax withholding numbers and the unemployment insurance account number. (81-Or-264, § 2, 10-30-81)

277.2990. Fee. The annual fee for a Class-A residential specialty contractor ~~building contractor~~ license shall be two hundred twenty dollars (\$220.00). ~~the Class B building contractor license fee shall be one hundred five dollars (\$105.00) and the Class C building contractor license fee shall be thirty-nine dollars (\$39.00). The Class C building contractor fee shall not be prorated.~~ (81-Or-264, § 2, 10-30-81; 86-Or-041, § 1, 3-14-86; 90-Or-014, § 1, 1-26-90; 91-Or-049, § 1, 3-29-91; 98-Or-046, § 1, 5-22-98)

277.3000. Expiration date. (a) ~~All Class A and Class B licenses shall expire on December first of each year subject to renewal year to year thereafter.~~

~~(b) All Class C licenses shall expire on March first of each year subject to renewal year to year thereafter. (81-Or-264, § 2, 10-30-81)~~

~~277.3010. Identification card required for Class C license. The director shall issue each successful applicant for a Class C license an identification card which shall serve as a license certificate. The card shall be carried by every Class C licensee while working on a job site and shall be displayed upon request to any inspector of licenses and consumer services, any representative of the inspections department, or to any concerned citizen. Any Class C building contractor on a job site who is unable to display an identification card upon request may be tagged and ordered from the job site by any representative of the director or by any representative of the inspections department. A duplicate identification card shall be issued for a fee of eight dollars (\$8.00). (81-Or-264, § 1, 10-30-81; 91-Or-041, § 1, 2-22-91; 98-Or-046, § 1, 5-22-98)~~

277.3020. Insurance required. Every Class-A and Class-B licensee shall provide and maintain in full force and effect public liability insurance to indemnify any person against loss or injury in the sum of one hundred thousand dollars (\$100,000.00) for injury or death to one person and three hundred thousand dollars (\$300,000.00) for each accident or occurrence and ten thousand dollars (\$10,000.00) for property damage, which shall include coverage for any damage caused to the owner's property and shall contain a provision that cancellation thereof shall not become effective without thirty (30) days prior notice thereof in

writing to the department of licenses and consumer services. The City of Minneapolis shall be named as an additional insured in the policy. (81-Or-264, § 2, 10-30-81)

277.3025. License suspension or revocation for lack of insurance or bond. Any license issued under this article shall be immediately suspended by the director whenever, during the term of said license, a residential specialty contractor ~~building contractor~~ fails to keep in full force and effect, and in the full amount required, the insurance and bonds required by this article. (95-Or-004, § 2, 1-27-95)

277.3030. Bond required. Effective ~~April 1, 1995~~ December 1, 2002, every application for a ~~Class A license or any applicant to perform roofing work of any kind~~ shall be accompanied by a bond, approved as to form by the city attorney, executed by a bonding or surety company authorized to do business in the State of Minnesota, in the amount of ten thousand dollars (\$10,000.00) annual aggregate, ~~and for a Class B license a bond in the amount of five thousand dollars (\$5,000.00) annual aggregate~~, effective upon application, and conditioned upon the assurance that the applicant will comply with the provisions of this article and all laws of the city and to assure that upon default in the performance of any contract, the advance payment made thereon, less the reasonable cost of completion of the contract in the event of the noncompletion thereof, will be refunded to the owner with whom such contract was made. The city shall have a cause of action against the bond for reimbursement for any damages suffered as a result of noncompliance with the laws of the city. The bond shall contain a provision that no bond may be cancelled except upon thirty (30) days' written notice to the city, which shall be served upon the department of licenses and consumer services division. (81-Or-264, § 2, 10-30-81; 95-Or-004, § 3, 1-27-95)

277.3040. License required to obtain building permit. The ~~department of inspections~~ division shall not issue a building permit to anyone required to be licensed under this article who is not at the time of the application for the permit properly licensed pursuant to this article. (81-Or-264, § 2, 10-30-81)

277.3050. Display of license. Each license issued pursuant to this article shall be posted and kept posted in some conspicuous place in the residential specialty contractor's ~~building contractor's~~ regular place of business. (81-Or-264, § 2, 10-30-81)

277.3060. Denial, suspension, revocation of license. A license to conduct, operate, engage in and transact a residential specialty contractor ~~building contracting business as a residential specialty contractor~~ building contractor may be denied, suspended, revoked or renewal refused by the city council for any one or more of the following reasons:

- (1) Fraud, misrepresentation or bribery in securing a license;

- (2) The making of any false statement as to a material matter in any application for a license;
- (3) The business transactions by the contractor have been marked by a practice of failure to perform its contracts;
- (4) Failure to display the license or job site notice as provided in this article;
- (5) Violation of any provisions of this article, or of any rule or regulation or city law within the scope of regulating a residential specialty contractor building contracting business for the protection of consumers;
- (6) Violations by the residential specialty contractor and/or person acting under the direction and control of the contractor, or any federal, state or municipal law arising out of and within the scope of business conducted by the contractor;
- (7) ~~—(7)—~~ Failure to pay any final civil judgment arising out of the residential specialty contracting building contracting business issued by a court of competent jurisdiction. (81-Or-264, § 2, 10-30-81)
- (8) For good cause.

277.3070. Prohibited acts. No person shall commit any of the following acts:

- (1) Abandonment or willful failure to perform, when the failure is not due to circumstances beyond the control of the licensee, any building contract or project engaged in or undertaken by a residential specialty contractor or willful deviation from or disregard of plans or specifications in any material respect without the written consent of the owner;
- (2) Making any substantial misrepresentation in the procurement of a building contract or making any false promise likely to influence, persuade or induce;
- (3) Any fraud in the execution of or in the material alteration of any contract, mortgage, promissory note or other document incident to a building contracting transaction;
- (4) Preparing or accepting any mortgage, promissory note or other evidence of indebtedness upon the obligation of a building contract transaction with knowledge that it recites a greater principal obligation than the agreed consideration for the building contracting work, which constitutes an abuse to the consumer;

(5) Directly or indirectly publishing any advertisement relating to residential specialty contracting building contracting which contains an assertion, representation or statement of facts which is false, deceptive or misleading, provided that any advertisement which is subject to and complies with the then existing rules, regulations or guidelines of the Federal Trade Commission, state laws or city ordinances shall not be deemed false, deceptive or misleading or by any means of advertising or purporting to offer the general public any building contracting work with the intent not to accept contracts for the particular work or the price which is advertised;

(6) Willful or deliberate disregard and violation of the building, housing, sanitary, health and fire laws of this state, county or City of Minneapolis;

(7) Willful failure to notify the ~~department of licenses and consumer services~~ division of any change in control, ownership, management or business name or location within thirty (30) days of such change;

(8) Conducting a residential specialty contracting building contracting business in any name other than the one in which the contractor is licensed;

(9) Offering to pay a loan as an inducement to enter into a building contract with others;

(10) Display of a false or forged license;

(11) Doing any residential specialty contracting building contracting business as defined in section 277.2940 herein unless all such business is done in a workmanlike manner;

(12) Failing to contact the ~~department of licenses and consumer services~~ division within ten (10) days after the contractor has received a certified letter from the ~~department of licenses and consumer services~~ division regarding a specific consumer complaint, or the department of licenses and consumer services has received notice of refusal or nondeliverability of such letter;

(13) No ~~Class A or Class B~~ building contractor shall allow its name to be used by any person, other than an employee or a properly licensed ~~Class C building contractor~~, for the purpose of performing contracting work. No building contractor residential specialty contractor shall obtain a permit for an unlicensed contractor. No residential specialty contractor building contractor shall perform any work under a building permit obtained by the owner.

(14) No residential specialty contractor building contractor shall enter into several building contracts which are part of a single building plan for an owner for the purpose of avoiding the provisions of this article;

~~(15) No Class A or Class B building contractor shall allow any person required to be licensed as a Class C building contractor to work on any job site unless that person is properly licensed;~~

~~(16) No Class C building contractor shall enter into any agreement with an owner to perform work within the purview of this article. (81-Or-264, § 2, 10-30-81)~~

277.3080. Acts of owner not a waiver. No acts, agreements or statements of an owner under a building contract shall constitute a waiver of any provisions of this article intended for the protection of the buyer. (81-Or-264, § 2, 10-30-81)

277.3090. Written contract required. A copy of a written contract shall be provided to the owner for any work to be done. Residential specialty contractors Contractors shall keep copies of their contracts at the business address specified in their application for two (2) years from the date on which the contract was signed. The contract shall include:

- (1) The date on which the contract was signed;
- (2) The owner's name and address;
- (3) The contractor's name, business address and telephone number;
- (4) The total cost of the work including the cost of materials;
- (5) The date on which the work will be started and the date on which it will be substantially completed, provided that delays in starting or completion due to circumstances beyond the control of the building contractor shall not constitute a violation of this clause. The starting and completion dates must be added to the contract no later than ten (10) days after the finalization of the contract negotiations. (81-Or-264, § 2, 10-30-81)

277.3100. Job site notice required. No licensee shall commence building contracting work for which a license is required by this article unless there is conspicuously posted out of doors on the job site a rectangular-shaped notice not less than eight (8) by ten (10) inches in size stating the name, business address and license number of the licensee with the highest classification. When such notice is not posted, the director, the building inspector, or their duly authorized agent, or the police license inspector may stop all work on the job site until this section has been complied with. This section shall not be construed to apply to anyone not required to be licensed under this article. (81-Or-264, § 2, 10-30-81)

277.3110. Owner's responsibility to hire only licensed contractors. The department of licenses and consumer services division may refuse to aid an owner who knowingly enters into a building contract with an unlicensed building

contractor. No owner or representative of an owner shall knowingly enter into a building contract with an unlicensed building contractor. (81-Or-264, § 2, 10-30-81)

277.3120. Contracts voidable. Any contract for which a residential specialty contractor's building contractor's license is required shall be voidable by the owner if the building contractor does not have the required residential specialty contractor's building contractor's license. (81-Or-264, § 2, 10-30-81)

277.3121--277.3126. Reserved.

ARTICLE XIX. FIRE PROTECTION CONTRACTORS*

*Editor's note: In order to avoid duplicate section numbers, the editor has renumbered as §§ 277.3127--277.3129 the first three sections of Art. XIX, which were originally enacted as §§ 277.3100--277.3120 by 82-Or-086.

277.3127. Definitions. The following words and phrases when used herein shall have the meanings respectively ascribed to them:

Fire protection system. "Fire protection system" shall mean a sprinkler, standpipe, hose system, or other special hazard system for fire protection purposes only, that is composed of an integrated system of underground and overhead piping connected to a potable water source. "Fire protection system" does not include the water service piping to a city water main, or piping used for potable water purposes, or piping used for heating or cooling purposes. Openings from potable water piping for fire protection systems must be made by persons properly licensed under Minnesota Statute 326.40. Persons properly licensed under Minnesota Statute 326.40 may also sell, design, install, modify or inspect a standpipe, hose system only.

Fire protection contractor. "Fire protection contractor" shall mean a person who contracts to sell, design, install, modify, alter, or inspect a fire protection system or its parts or related equipment.

Journeyman sprinkler fitter. "Journeyman sprinkler fitter" shall mean a person who is certified as competent to engage in the installing, connecting, altering, repairing, or adding to a fire protection system for and under the supervision of a fire protection contractor.

Apprentice sprinkler fitter. "Apprentice sprinkler fitter" shall mean a person other than a fire protection contractor or journeyman sprinkler fitter, who is regularly engaged in learning the trade under the direct supervision of a licensed fire protection contractor or journeyman sprinkler fitter and is registered with a state or federal approval agency. (82-Or-086, § 1, 5-14-82; Pet. No. 251179, § 139, 12-29-89; 94-Or-135, § 1, 9-30-94)

277.3128--277.3230. Reserved.

Editor's note: Ord. No. 94-Or-135, §§ 2--15, adopted Sept. 30, 1994, repealed §§ 277-3128--277.3230, which pertained to fire sprinkler contractors. See the Code Comparative Table.

277.3240. Permit required; to whom issued. (a) Except as provided in section 277.3245, no person shall commence or proceed with any work on any fire protection system as herein defined in the city without first obtaining and having a permit therefor from the fire department, or fail or neglect to comply with the provisions of this code relating to such work. All work shall be done subject to the inspection and approval of the fire department. No permit, as required herein, shall be issued to any person unless such person is licensed as a fire protection contractor under Minnesota Statute 299M Subdivision 1.

(b) No permit shall be issued unless the applicant provides to the fire department documentation showing that every person to be engaged in installing, connecting, altering, repairing or adding to the fire protection system is certified as a journeyman sprinkler fitter pursuant to Minnesota Statute 299M.03 Subdivision 2 or is registered as an apprentice sprinkler fitter with a state or federal approval agency. (82-Or-086, § 1, 5-14-82; 91-Or-221, § 1, 11-8-91; 94-Or-135, § 16, 9-30-94)

~~277.3245. When plumbers may be issued permits under this article. Permits may also be issued to plumbers licensed in accordance with Article VI of this chapter to supervise, install, connect, alter, repair or make addition to a standpipe and hose systems only. (82-Or-086, § 1, 5-14-82)~~

277.3250. Notice to inspector. Any person performing work under permit as issued under section 277.3240 shall, upon completion of such work or completion of such portion thereof, notify the fire department and request an inspection of such work before concealment of the same. (82-Or-086, § 1, 5-14-82; 94-Or-135, § 17, 9-30-94)

277.3260--277.3290. Reserved.

~~277.3300. Reserved.~~

~~Editor's note: Ord. No. 94-Or-135, § 22, adopted Sept. 30, 1994, repealed § 277.3300, which pertained to what apprentice sprinkler fitter may do. See the Code Comparative Table.~~

~~277.3310--277.3390. Reserved.~~

~~ARTICLE XX. CEMENT FINISHERS~~

~~277.3400. Definitions. The following words and phrases when used herein shall have the meanings respectively ascribed to them:~~

~~—Cement finishing work. For purposes of this article, cement finishing work shall include, but not be limited to, the following: Certain types of formings, screening, finishing, grouting, rubbing, pointing, patching, vibrating and curing of poured concrete; all types of exposed aggregate done by the washout method; and shall further include forming and screening of certain residential footings, forming and finishing of steps, placement of expansion strips, sawing and scoring of concrete, operation and control of all types of vacuum mats used in the drying of concrete floors, operation of power-driven floats, troweling machines, mechanically powered strike-off machines and mechanically powered roller machines. Nothing in this article shall be construed to modify, alter or extinguish any jurisdictional claims or work rules established by any building trades union.~~

~~—Master cement finishing contractor. "Master cement finishing contractor" shall mean a duly licensed person, firm or corporation engaged in cement finishing work as herein defined.~~

~~—Journeyman cement finisher. "Journeyman cement finisher" shall mean a person who is certified as competent to engage in performing cement finishing work as herein defined.~~

~~—Apprentice cement finisher. "Apprentice cement finisher" shall mean a person who is regularly engaged in performing cement finishing work, learning the trade under direct supervision of a qualified master cement finishing contractor or journeyman cement finisher, and in possession of an apprentice registration certificate issued by the board of examiners as hereinafter provided. (84-Or-207, § 1, 11-9-84; 97-Or-002, § 2, 1-24-97)~~

~~277.3410. License required. No person, firm or corporation shall do or perform the work of cement finishing, as herein defined, within the city without first having obtained a license to do so. Said license shall be issued by the city council in accordance with the provisions of this article. And further, no person, firm or corporation shall permit or allow any employee to do or perform any work regulated by this article unless such employee is the holder of a valid certificate of competency as a journeyman cement finisher or is properly registered with the State of Minnesota as an apprentice cement finisher.~~

~~—Exceptions: A master cement finishing contractor's license shall not be required for cement finishing work being done under the direct supervision of a professional engineer or architect registered as such under the laws of the State of Minnesota. Further, this article shall not be construed to apply to or include any person performing any cement finishing work herein defined upon his or her~~

own property, or to City of Minneapolis employees performing cement finishing work for the city within the scope of their employment. (84-Or-207, § 1, 11-9-84; Pet. No. 251170, § 142, 12-20-89)

~~277.3420. Application for license. Any person, firm or corporation desiring a license as required by this article shall make written application to the city council stating therein the name of the applicant and place of business. No such license shall be issued unless such person or, where the applicant is a firm or corporation, an employee of such firm or officer of such corporation, at the time of making application is in possession of a master cement finishing contractor's certificate of competency from the board of examiners of cement finishers, as hereinafter provided. (84-Or-207, § 1, 11-9-84)~~

~~277.3430. Examining board; membership; term. The director of inspections or duly designated deputy, an engineer registered in the State of Minnesota, one duly certified master cement finishing contractor, one journeyman cement finisher and one member of Cement Masons' Union No. 557 to be appointed by the city council after receiving recommendations from the director of inspections shall constitute and be a board of examiners to examine and pass upon the applications of all applicants for a certificate of competency to engage in or work at the business of cement finishing. Such members appointed to the board shall continue as members of the board until their successors are duly appointed and qualified. All appointments to the board of examiners, except when made for the unexpired portion of an uncompleted term, shall be for a term of three (3) years beginning the first day of December, 1984. All members of the examining board shall serve without remuneration and the necessary expenses of such examining board shall be paid from any funds in the city treasury available therefor. An interim board of examiners may be appointed by the city council upon recommendation of the director of inspections, to serve until such time as a permanent board may be established. (84-Or-207, § 1, 11-9-84; Pet. No. 251170, § 143, 12-20-89)~~

~~277.3440. Organization of examining board. Said examining board shall organize within fifteen (15) calendar days after appointment by the city council and shall elect a president and secretary whose duty it shall be to keep records of all applications, examinations, certificates issued and renewals thereof, other activities of said board and all fees received, and to pay into the city treasury as soon after their receipt as practicable all moneys collected by the board. A regular meeting of said board shall be held in each quarter of the calendar year, and additional or special meetings may be held when necessary at the call of the president of the board. (84-Or-207, § 1, 11-9-84)~~

~~277.3450. Duties of examining board. The board shall subject each applicant for a certificate of competency to such examination and investigation as it may deem necessary to determine whether said applicant has sufficient knowledge, skill, training, and experience to enable the applicant to properly carry on the~~

~~business of, or work at, cement finishing; and to issue to each applicant who satisfactorily passes such examination and investigation the desired certificate of competency upon applicant's payment of the required fee therefor. Master cement finishing contractors' and journeyman cement finishers' certificates shall expire on December first of each year. In case any certificate of competency shall lapse for a period of two (2) years or more, then it shall be necessary for the person who held such certificate to seek approval from the examining board before receiving a renewal of the certificate, upon payment of the renewal fees for same. Provided, however, that the examining board may issue a renewal certificate without examination to persons whose certificates have lapsed while they were serving on active duty in the Armed Forces of the United States, when proper application therefor is made within sixty (60) days after separation from such service, and upon payment of the required fee. Such examining board shall have the power to prescribe all reasonable requirements as to the experience, training and character of all applicants for such certificates of competency, to formulate and hold under such rules as they may establish all examinations of such applicants, both written and oral, and to pass upon the competency and fitness of each such applicant, and to issue certificates of registration as apprentices upon application therefor. (84-Or-207, § 1, 11-9-84; 85-Or-194, § 9, 10-11-85)~~

~~277.3460. Application for certificates; examining fees. Each person desiring a certificate of competency as herein provided shall file a notice of intent to take the examination with the examining board at least thirty (30) days prior to the date of examination, in order to allow such board ample time to investigate the applicant's record and qualifications. Such notice of intent shall contain information relative to the applicant's training, experience and education, and a chronological record of the applicant's employment. This information will be evaluated by the examining board and, if the candidate is found ineligible for examination at that time, he or she will be notified of the reasons therefor and no expense will have been incurred. If the applicant is apparently eligible for examination, he or she will be so notified and a form will be provided by the board on which to make application for a certificate of competency. This application shall be submitted to the examining board together with an examination fee of seventy-five dollars (\$75.00) if for a master cement finishing contractor's examination, and fifty dollars (\$50.00) if for a journeyman cement finisher's examination. No such examination fee so paid shall be subject to refund, and each examination fee so paid shall be in addition to the fee charged such applicant for a certificate of competency as herein provided. (84-Or-207, § 1, 11-9-84; 90-Or-076, § 16, 3-16-90)~~

~~277.3470. Grandfather clause; exception to examination. Persons, firms or corporations who, on the effective date of this article, hold a current license for a Class A concrete masonry finish cement contractor issued pursuant to Article IX, Section 277.1895, and who apply for certificates of competency within sixty (60) days after the effective date of this article, shall not be required to comply with~~

~~the provisions of this article which pertain to examination by the board of examiners or to pay an examination fee, but shall be granted a certificate of competency as a master cement finishing contractor upon payment of the required fee for such certificate. Holders of Class B or Class C concrete masonry and cement finishing contractors' licenses who apply for certificates of competency within sixty (60) days after the effective date of this article, shall at the discretion of the board of examiners, be granted a certificate of competency as either a master cement finishing contractor or a journeyman cement finisher without examination upon payment of the required fee for such certificate. Upon satisfactory proof to the examining board that he/she has been actively engaged for three (3) years as a journeyman cement finisher as of the effective date of this article, such journeyman shall be granted a certificate of competency without examination under this clause. (84-Or-207, § 1, 11-9-84)~~

~~277.3480. Temporary certification pending examination; journeyman cement finisher. The examining board may issue a temporary certificate which shall be held valid until the next scheduled examination has been held and the results of such examination certified by the board. Each person desiring such temporary certificate as herein provided shall, before issuance of the certificate, submit to the examining board an application for examination on forms provided by the board, and shall pay the examination fee of fifty dollars (\$50.00). The recipient of a temporary certificate as herein provided shall be permitted to work on cement finishing only under the immediate supervision of a licensed master cement finishing contractor in possession of a current certificate of competency issued by the examining board. No person shall be issued more than one temporary certificate as herein provided without approval of the examining board. (84-Or-207, § 1, 11-9-84; 90-Or-076, § 17, 3-16-90)~~

~~277.3490. Reexamination. Any applicant who shall fail to pass the examination imposed by this article and conducted by the examining board may file a new application for a certificate and shall thereupon be eligible to file an application for a second examination by the board. However, should any applicant fail to pass the second examination, he or she shall not be eligible to take a third examination until the elapse of one year from the date of the second examination. Any such applicant may, upon the expiration of said year, again make application for a certificate and shall then be entitled, after payment of the required fee, to take a third examination to be conducted by the examining board at the next date set by said board for the conducting of examinations for certificates to be issued hereunder. (84-Or-207, § 1, 11-9-84)~~

~~277.3500. Fees; certificates and renewals. The applicant for master cement finishing contractor and journeyman cement finisher shall pay to the examining board for the first and original certificate of competency and each renewal thereof, a fee of thirty dollars (\$30.00). Each such fee shall be paid before issuance of such certificate. Whenever a certificate of competency has not been renewed by on or before December thirty-first of the renewal year, a double fee~~

shall be imposed. Each certificate of registration as an apprentice shall require payment of a fee of fifteen dollars (\$15.00), and shall be held valid and in force until applicant has completed an apprenticeship not to exceed five (5) years. Such apprenticeship registration certificates must be renewed after five (5) years, at which time another renewal fee shall be required. (84-Or-207, § 1, 11-9-84; 89-Or-197, § 11, 10-13-89; 2000-Or-099, § 5, 10-13-00)

~~277.3510. License fee; transfer and expiration. The fee for each license as provided in section 277.3420 shall be one hundred thirty one dollars (\$131.00) to be paid at the time of the filing of the application for license. If the applicant chooses to be licensed in both cement finishing under this section, and concrete masonry under 277.1970, the applicant shall be entitled to a fifty (50) percent reduction of the fee for the additional category. Said license shall terminate on the December first next succeeding issuance. No such license shall be transferable or assignable. (84-Or-207, § 1, 11-9-84; 86-Or-041, § 1, 3-14-86; 86-Or-100, § 1, 5-9-86; 90-Or-014, § 1, 1-26-90; 91-Or-049, § 1, 3-29-91; 98-Or-046, § 1, 5-22-98; 98-Or-047, § 2, 5-22-98)~~

~~277.3520. Place of business required; to be recorded. Every applicant for a license must maintain a place of business in the State of Minnesota. On receiving a license, the licensee shall have the same recorded in the office of the director of inspections together with the place of business, giving the street and number. In case of removal therefrom, licensee shall immediately notify the director of inspections of the new address of his or her place of business. (84-Or-207, § 1, 11-9-84; Pet. No. 251179, § 144, 12-29-89)~~

~~277.3530. Bond. With each application for license to be issued by the city council through the director of licenses and consumer services, the applicant shall furnish a policy of insurance or certificate thereof insuring such applicant in the sum of at least fifty thousand dollars (\$50,000.00) against liability imposed by law on account of bodily injuries or death of one person in any one accident and, subject to said limit for one person, to a limit of not less than one hundred thousand dollars (\$100,000.00) against liability imposed by law on account of bodily injuries or death of two (2) or more persons in any one accident, and in the sum of at least ten thousand dollars (\$10,000.00) against liability imposed by law on account of damage or destruction of property in connection with the doing and performance of such cement finishing work as defined in this article; and shall furnish a surety bond to the city in the sum of ten thousand dollars (\$10,000.00) running to the city for the benefit of and to protect any person for whom such cement finishing work shall be done from loss or damage arising out of the licensee's failure to comply with any specifications pertaining to such work, the use of inferior materials, incompetent work, failure to pay for labor and materials, and to guarantee the full and proper performance of all contracts entered into for the performance of such work by the licensee. Said surety bond shall first be approved as to form and execution by the city attorney before a license may issue. (84-Or-207, § 1, 11-9-84)~~

~~277.3540. Supervision of work. All cement finishing work performed in the city shall be done under the supervision and control of a duly licensed master cement finishing contractor. (84-Or-207, § 1, 11-9-84)~~

~~277.3550. Forfeiture or revocation of license. No person, firm or corporation licensed herein shall allow his, her or their name to be used by any other person for the performance of any work regulated by the provisions of this article, and no such licensee shall permit or allow any person employed by such licensee to perform any work regulated by this article unless such employee is the holder of a valid certificate of competency as a master cement finishing contractor, journeyman cement finisher, or is properly registered with the State of Minnesota as an apprentice cement finisher. Upon the presentation of satisfactory proof to the city council that such licensee has engaged in unlawful acts as herein stated or has failed to conform with any ordinance provisions or regulations of the city related to cement finishing work under this article, the city council may revoke such license, and any license issued hereunder may be revoked as provided by the City Charter. When such license has been issued in the name of a firm, partnership or corporation obtaining the same, a revocation or forfeiture of such license shall be deemed to affect each individual composing said firm, partnership or corporation. (84-Or-207, § 1, 11-9-84)~~

~~277.3560. What master cement finishing contractor may do. A master cement finishing contractor is a person in possession of a certificate of competency as such master issued to him or her by the examining board as herein provided and, by reason thereof, is qualified to obtain a license for, engage in and carry on the business of performing cement finishing work as defined in section 277.3400. (84-Or-207, § 1, 11-9-84)~~

~~277.3570. What journeyman cement finisher may do. A journeyman cement finisher is a person in possession of a certificate of competency as such journeyman issued to him or her by the examining board as herein provided and, by reason thereof, is authorized to perform cement finishing work under the supervision and direction of a duly licensed master cement finishing contractor. No person shall hereafter engage in the occupation of or work as a journeyman cement finisher without first having secured a certificate of competency as a journeyman cement finisher. No person shall be issued such certificate unless he or she has served an apprentice period in accordance with the standards approved for apprentice cement finishers, except as provided in section 277.3470. (84-Or-207, § 1, 11-9-84)~~

~~277.3580. What apprentice cement finisher may do. An apprentice cement finisher is a person regularly engaged in learning the trade under the direct supervision of a qualified master cement finishing contractor or journeyman cement finisher, and in possession of an apprentice cement finisher's registration certificate issued by the board of examiners as herein provided. No person shall~~

~~hereafter engage in or work as an apprentice cement finisher in the city without first having secured a certificate of registration as such apprentice from the examining board. At the expiration of three (3) years as an apprentice cement finisher, any person who has so served shall become eligible to make application to said examining board for a journeyman cement finisher's certificate of competency. (84-Or-207, § 1, 11-9-84)~~

~~277.3590. Job site notice. No cement finishing work in connection with a residence, public or private garage, filling station, apartment building, or a commercial building where the cost of such work shall exceed fifty dollars (\$50.00) shall in any case be commenced or performed unless there shall be conspicuously posted on the job site a rectangular-shaped notice eight (8) by ten (10) inches in size or larger, stating the name of the licensed master cement finishing contractor, the business address of said contractor, and the license number of said contractor. In the event such notice is not posted, the director of inspections or duly authorized agent or the police license inspector may stop all work on the job site until this article has been complied with. (84-Or-207, § 1, 11-9-84; Pet. No. 251179, § 145, 12-20-89)~~